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BEING THE HISTORY OF THE ENGLISH CATHOLICS DURING THE FIRST THIRTY YEARS OF THE NINETEENTH CENTURY

BY THE RIGHT REV.

MONSIGNOR BERNARD WARD, F.R.HIST.S.

PRESIDENT OF ST. EDMUND'S COLLEGE

AUTHOR OF "THE DAWN OF THE CATHOLIC REVIVAL IN ENGLAND (1781-1803)"

IN THREE VOLUMES

VOL. I.

1803-1812

WITH ILLUSTRATIONS

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TO

OUR BRETHREN OF CATHOLIC IRELAND

WHOSE FAITH, LIKE THAT OF THE ROMANS OF OLD,

IS SPOKEN OF THROUGHOUT THE ENTIRE WORLD,

IN THE HOPE THAT THE STORY OF OUR COMMON FIGHT FOR

RELIGIOUS FREEDOM

MAY PROVE TO US A FRESH BOND OF UNION,

ENSURING IN THE FUTURE THAT CORDIAL CO-OPERATION

A PLEDGE OF WHICH WE DISCERN IN THE PAST.

PREFACE.

It may perhaps be thought that some apology is required for undertaking so ambitious a work as what is practically a history of English Catholics during an important and even critical epoch, on the part of one who has already a fair amount of practical work to occupy him, and who cannot possibly devote the amount of time and attention which the subject seems to require. If such is urged, the chief justification to plead would be the very kind reception which the *Dawn of the Catholic Revival in England* (1781-1803) — a similar work undertaken under similar conditions —met with, and the kind hope expressed—even with some importunity — by many persons whose wishes carry weight, that the work should be continued. The Archbishop of Westminster once more kindly offered the use of all the papers in his Archives, as also did the Bishop of Clifton, and the other Bishops and heads of Colleges who had helped the former work in this manner,[1] repeated their kindness in the present instance. In addition to these, the Rector of the English College at Rome, Bishop Giles—who at the time of writing is believed to be the oldest living "Edmundian"—threw open to me the most valuable collection of papers there, which include the greater part of the correspondence of the Agent of the English Bishops during the period under review; and by the kindness of Cardinal Gotti, I was enabled to take ad-

[1] For a list of these, see *Dawn of the Catholic Revival*, Preface, p. xvi.

vantage of my visit to Rome to spend several days in the *Archivium* of Propaganda, which contains documents which were practically essential to the work in hand. The result is the issue of the present work, which continues the history of English Catholics down to the year 1830. This will occupy three volumes, of which the first two appear now, and the third will follow in a few months' time.

It may seem at first sight that three volumes is a large amount of space to devote to a period hardly over a quarter of a century. The best answer to this criticism is to be found in the pages of the book: for it will be seen from them what an eventful time those years were for English Catholics. They form part of the long struggle for what was always spoken of by them as "Emancipation," which was finally gained in 1829. A study of the period, however, tends to show that the importance of that Act in England—as distinct from Ireland — has been somewhat over-estimated. In Ireland indeed by conferring on Catholics the right to sit and vote in Parliament, and to enter the professions on even terms with their Protestant neighbours, the effect was in truth the "Emancipation" of four-fifths of the nation. But in England, although the Catholics gained more by the Act—for they gained the franchise, which the Irish had recovered more than thirty years before—nevertheless, they were so few in number that their admission to Parliament made no appreciable difference in the constitution of the House of Commons, while the effect of the Catholic vote through the country was a negligible quantity. In like manner, the number of persons whose professional career was affected by the passing of the Act was exceedingly small, and the gain in that direction was to some extent a matter of sentiment. Moreover, most of the liberties of a religious nature which English Catholics now

possess were obtained in the first instance, not by the Act of 1829, but by that of 1791; and the rapid development of Catholicity dated from the earlier rather than from the later date. Hence the period under review, which can be described as the eve of Civil Emancipation, was a time of rapid religious development, and in many ways of great unrest—an unrest to which the disturbing and far-reaching influence of the French Revolution probably contributed more than is at first sight apparent. A glance at the names of the chapters will indicate the number and variety of topics treated of. None of these could be omitted without destroying the completeness of the book; but on the other hand, several of them are independent of each other and of the general narrative, and can be postponed, if desired, at first reading. Thus, for example, the chapters on the Blanchardist Schism, the Catholic Bible Society, the loss of the Douay funds, and other similar ones, are complete in themselves, and can, if necessary, be read separately.

Throughout the period the struggle for Civil Emancipation looms steadily in the background. About this an important remark should be made. Politically speaking, Emancipation was from the beginning an Irish, not an English question: yet for a considerable time after the Act of Union, the English Catholics had quite as much say in negotiating the matter as their brethren across the water. This was partly due to their being on the spot, and partly to their possessing in their own body men of position and influence. Their demand was naturally different in character from that of the Irish, which was the agitation of the greater part of the nation. Hence arose a difference of opinion as to the conditions to be offered or accepted, of which the well-known Veto question forms an important, though by no means a solitary, instance. Owing partly to a

difference of temperament, and partly to the difference of circumstances and history, it is never too easy for the Irish and English Catholics to act politically together: the difficulty was emphasised during the years which succeeded the passing of the Union. Gradually there arose a double movement, one of the nature of a petition for Emancipation, accompanied with a willingness to accept what became known as "securities," which the lay leaders in England—and also the aristocratic party in Ireland—represented; the other the demand for "Unconditional Emancipation" on the part of the Irish, which grew in force as years went on. In the event the English Catholics failed to obtain Emancipation. They did indeed pass it through the House of Commons; but all their personal influence did not succeed in inducing the Peers to vote for it. Where their influence failed, the agitation of the Irish eventually succeeded. The bills of 1813 and 1821—the latter of which passed the House of Commons—were drafted by Charles Butler; the bill of 1825 was drafted by O'Connell; and although that too was thrown out by the Lords, by this time the Irish Catholic Association had established its power, and four years later Emancipation was forced from an unwilling Government: for when Sir Robert Peel and the Duke of Wellington declared in favour of it, they did so avowedly as the lesser of two evils, and because the state of Ireland had become such that it had become in their opinion ungovernable by any other policy.

The object of these remarks is to emphasise the fact that a comprehensive History of Catholic Emancipation can only be written from an Irish standpoint. The present work lays no claim to be such a history. The struggle for Emancipation in England was only an episode in it, though of course one of essential importance; and the short sketch of the (Irish) Catholic Association and of O'Connell's work does not profess to be more

than a sketch, sufficient to enable us to study the effect on the condition of the Catholics of England, for it is their story which is here told.

It will be found that almost throughout the book two central figures stand out, viewing the whole situation from different and even opposite standpoints from one another. These are Bishop Milner and Bishop Poynter. Even apart from his literary work, for which Bishop Milner is justly famous, viewing him simply as a man of action, no one will now question that he was the greater and stronger man of the two,[1] and he left a more lasting impress of his work on English Catholicism of his day. Nevertheless, he had grave faults, which have not always been remembered by those who have estimated the value of his work. It must be remembered that hitherto practically the only source of information as to the merits of his disputes has been his own writings: Husenbeth, in his biography of Milner, naturally accepts his version without question, and Father Amherst, in his *History of Catholic Emancipation*, does so no less completely. Now Milner was essentially a special pleader, and his writings give only a one-sided view of the case. If such a man as the saintly Abbé Carron of Somers Town could give it as his deliberate opinion that the raising of Milner to the episcopate was a calamity to the Catholic Church in England, and if Bishop Bramston, the meekest of men, could speak of him as a greater enemy to religion than Luther himself, it is evident that there was at least another side to the question. That side has never been satisfactorily put forward in print. Charles Butler has indeed written in defence of Dr. Poynter, but only a very few pages; and in any case he is hardly the apologist whom the Bishop would

[1] For this reason, following the example of Amherst and other writers, I have spoken of him throughout simply as "Milner"; while his colleague has been alluded to as *Dr.* or *Bishop* Poynter.

have chosen; while Dr. Poynter himself, with a self-restraint which bordered on heroism, uniformly refrained from writing in answer to the repeated attacks on him which Milner was continually making in pamphlets and other publications, in the *Orthodox Journal*, and even in his episcopal pastorals. He, however, kept many documents together, and left them behind him for the use of future generations, so that (as he said) Milner's accounts should not go down unchallenged to posterity as English Church history.

By means of these papers, and from other sources now available, it would have been easy to write an account of the whole from Dr. Poynter's outlook, and contrast it with Milner's *Supplementary Memoirs*, and other writings. Such a course, however, would have defeated its own end, and made the account as much of an *ex parte* statement as Milner's writings are. The aim of the writer has been rather to state both points of view, giving the respective contentions of the two Bishops, and whenever possible in their own language. Nor has it been contended that the right lay exclusively either on the one side or the other. In our own day we are sufficiently educated in the lessons of history to know that there are two sides to every question, and the modern historian occupies himself rather in tracing the respective influences of temperament and circumstances to account for difference of opinion or of policy. In the case before us both temperament and circumstances largely entered in, and without going so far as Dr. Poynter's panegyrist[1] who maintained that if the two Bishops had exchanged places, each would have acted as the other in fact did, we may fully admit that the different circumstances in which they were placed were responsible for much of the difference of their outlook.

[1] Rev. Lewis Havard, in his funeral sermon.

But while endeavouring to refrain from censuring the actions of either party, I have not concealed my opinion that Milner's language was frequently more than regrettable—a fact freely admitted by his closest friends and admirers, and which probably no one who reads the various extracts in the present work will be inclined to deny. Some years ago, in conversation with a member of an old London Catholic family, whose father had lived through those times, I ventured to put the question, what was the traditional opinion as to which of the two Bishops was more in the right. He answered that as to the substance of the disputes between them he had heard much difference of opinion: but as to their respective language and method of action he never heard but one; that Dr. Poynter always measured his language, and spoke and acted with a dignity and self-restraint which won the respect of all, and altogether contrasted with the intolerant language and action of his opponent.

Nevertheless two considerations can be added, if not in justification, at least in extenuation of Milner's habitual asperity of language. One is that he was wholly unaware and even incredulous of the fact that his language was harsh at all. The other is that the prevalent tone of the day was towards intolerance of one's opponents, and Milner was far from being alone in exhibiting that fault, though he carried it to a higher degree than others did. He condemned every one who differed from him. He was no less intolerant of the anti-vetoists during the time when he himself advocated the Veto, than he was subsequently of the Vetoists themselves, when he had ceased to be one of their number.

Two of the disputes alluded to require special mention, and some personal explanation, for which I must crave the indulgence of the reader. These are the differences between the English and Irish Bishops at

the end of the first decade of the Nineteenth Century, and the long strife connected with the re-establishment of the Society of Jesus in England a few years later. The character of these differences was unknown to me until I came to study the details ; and in view of the regard which one naturally feels towards our fellow Catholics in the sister isle, and the respect which every good Catholic must entertain for the members of the Society of Jesus, to which the Church owes so much, it is hardly overstating the truth to say that had I known what was before me, I should have hesitated before undertaking to write of the period at all. But it was only when I was already committed to the work, and had actually written a certain portion of it, that the facts of these disputes and the difficult circumstances which gave rise to them began to open out before me. Naturally I took advice from those most concerned, and in both instances received help and encouragement which decided me not to shrink from the task before me.

In the first place, the Archbishop of Dublin, Dr. Walsh, not only expressed his kind interest in the work, but showed that interest in a practical manner, by placing all the papers of the Archiepiscopal Archives at my disposal. These are at present in course of re-arrangement, and the Diocesan Archivist, the Rev. Michael Curran, was able to direct me at once where to find the various documents likely to bear upon English affairs. But in truth he did far more than this ; for he was kind enough to read through the manuscript of the chapters concerning Ireland, and to make many suggestions about matters on which his knowledge of his own country enabled him to enlighten an outsider like myself. In particular, a considerable portion of the chapters about the Veto question was re-written so as to include fresh matter which he brought before my notice. Happily the disputes alluded to were only temporary, and

during the greater part of the period under review the mutual relations between the Bishops of the two countries were of the cordial nature that one looks for, considering that they were working side by side for a common end.

From the English Jesuits I received no less encouragement and assistance. The Father Provincial—then the Rev. Richard Sykes, S.J.—was kind enough to give permission for any documents to be shown to me, and the official account of the English Province, written by the Rev. Father Glover, was in my possession for several months, as well as a volume of letters (transcripts) and a few other papers. In addition to this, the Rev. John H. Pollen, S.J., was kind enough to read through all I had written, and to make suggestions which it is to be hoped will at least prevent the account being a one-sided one. Now that the unfortunate disputes between Seculars and Regulars which have disfigured our English Catholic history are happily a thing of the past, there is nothing to gain by refusing to face the mistakes committed on both sides in the heat of the fray, and anything which helps towards a dispassionate and impartial narrative of events is a point gained. For this, therefore, I am grateful to those who have helped me.

Nevertheless, in both cases—both as to the disputes with the Irish Bishops and with the Jesuits—I fully realise that however much I may owe to the kind assistance of others, the final responsibility for what is written is not theirs, but exclusively my own. My aim has been by no means to sit in judgment between the two parties, but rather to study the history of the period, so as to understand the different and even opposite views taken by both sides, and to account for actions which the party spirit and acrimonious feelings of the times caused to be universally misunderstood by the

opposite party. How far I have succeeded it will be for the reader to judge.

I have to express my special thanks to one of our students, Mr. Albert Purdie, who has helped me in many ways. In particular, he undertook the labour of going through the numerous papers connected with the loss of the Douay funds—a subject which has hitherto been shrouded in considerable obscurity. The matter of the two chapters devoted to this subject was almost entirely prepared by him; and only those who have seen the large bundles of papers on the subject left behind by Dr. Poynter can realise how much labour this has involved.

As before, my best thanks are due to Rev. Edwin Burton, D.D., and Mr. Alfred Herbert, M.A., for helping me by reading the proofs and making valuable suggestions; and to Abbot Bergh, O.S.B., for kindly undertaking the thankless office of Censor, a work which required considerable care, for the theological statements which occur in connection with the discussion of the orthodoxy of the various Oaths, Resolutions, etc., are numerous.

In conclusion, it is perhaps permissible to express a hope that, for the sake of completeness, the work may in due time be carried on through the period which intervened between Emancipation and the Restoration of the Hierarchy in 1850, for records during that period are still scarce. Although this covers almost as long a period as the present volumes, it would probably prove a very much shorter task. The period in question indeed included many of the Oxford conversions, and also the Irish immigration in consequence of the potato famine—two causes which affected English Catholic history in a great and lasting degree—and the whole of the negotiations leading up to the Restoration of the Hierarchy: but compared with the previous

quarter of a century, it was far less fruitful in strifes and contentions, and could be dealt with in a much smaller space. From 1850 onwards, there is abundance of material, in the biographies of prominent Catholics, as well as in the periodical literature of the day, to supply ample records of the history of Catholicism in England.

St. Edmund's College,
September, 1911.

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From a miniature by Keman, considered by Husenbeth as "decidedly the best ever taken of the Bishop" (Life of Milner, *p.* 151). *The miniature is now at Oscott, and is reproduced here by kind permission of Mgr. Parkinson, D.D., the Rector.*

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OLD BRIDGE STREET CHAPEL, DUBLIN 8

This is given as a specimen of the Catholic Chapels in Ireland in penal times. Erected by the Dominicans in 1719, it passed to the secular clergy, and became a Parish Chapel in 1767. The Bridge Street Chapel was the scene of several important political meetings in the first quarter of the nineteenth century.

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From a painting at Costessey Park, Norfolk. Reproduced from the Jerningham Letters, *by kind permission of Messrs. Macmillan.*

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THE EVE OF CATHOLIC EMANCIPATION

CHAPTER I.

STATE OF THE EMANCIPATION QUESTION AT THE OPENING OF THE NINETEENTH CENTURY.

THE *Supplementary Memoirs of the English Catholics*, which is one of the best-known books written by the redoubtable Bishop Milner, is divided into two parts. The first part ends in 1803, with the consecration of himself as Vicar Apostolic of the Midland district at Winchester, and that of Dr. Poynter a week later at St. Edmund's College, as Coadjutor of the London district. At the latter ceremony Milner himself preached, and he dwells on the vision of peace and hopefulness which seemed to open out before the eyes of English Catholics on that day. After an era of division and strife, now at length the vicars apostolic were all united, and met together to discuss the affairs concerned with the good of their flocks. He adds that "many things regarding Religion were settled with perfect unanimity".

This unanimity was unfortunately not destined to last very long, and the second half of the *Supplementary Memoirs* is occupied with disputes and strifes no less fundamental and anxious than the first half; but with the difference that Milner was no longer acting as an agent for Bishop Douglass, or any other Vicar Apostolic: being now himself a bishop, he acted henceforth on his own initiative. The year 1803 therefore is a suitable epoch for us to resume our study of the history of Catholicity in this country.

The effects of the Relief Act of 1791 had by this time fully asserted themselves, and there was a far more hopeful feeling among the English Catholics than had been the case a few years earlier; a feeling which was greatly helped on by the presence in their midst of so many of the French clergy

and Catholic laity, who had been brought up amidst ideas very different to the subservient and retiring spirit of their English brethren in Penal times. The majority of the French clergy had returned to their own country on the signing of the Napoleonic Concordat in 1801; and although there were a certain number who voluntarily continued their exile until the restoration of the Bourbons, for the most part from the time of the Concordat the English Catholics were left to their own resources; and the stress of the urgent events of the last few years being over, they began once more to give their attention to their own position.

Naturally, their aspirations after freedom and equality of treatment were not set at rest by the Relief Act of 1791. That Act indeed had given them liberty of worship, and had repealed the chief penalties spoken of collectively as "the Penal Laws"; but it was far from placing them on an equality with their non-Catholic fellow-subjects, as they considered they had a right to be; and their success in obtaining that limited amount of relief served as a stimulus to further efforts to gain that measure of civil and religious equality which has been commonly denominated under the title of "Catholic Emancipation".

In order to give a short summary of the chief grievances under which they still suffered, we can avail ourselves of a list drawn out in July, 1804, by Bishop Douglass, at the request of Mr. Brockholes, a member of the well-known Lancashire family, for the purpose of laying before the Government. It was taken substantially from the similar list drawn out at the Synod of Winchester and Old Hall the previous year. It ran as follows:—[1]

"1. That of Catholic marriages, or of marriages of Catholics celebrated by Catholic priests being deemed invalid by the existing laws, so that if one of the parties quit the other *quacunque de causa*, the deserted party receives no relief from the parish, nor redress from the law of his or her country. The priest also, it is said, may be transported, or put in prison and condemned to transportation, for having married the parties.

"2. That of foundations or of moneys appropriated for the maintenance of priests, or to the support of Catholic worship, are deemed by the existing laws to be appropriated *to super-*

[1] Diary of Dr. Douglass (*Westminster Archives*),

stitious purposes, and as such are liable to confiscation: and when alienated or seized upon by malevolent persons, cannot be recovered by law. Instances of such alienations and seizures might be adduced.

"3. That of Catholics serving in His Majesty's Army and Navy being withheld from attending Divine service according to the rite of their own Religion on Sundays and festivals, and of their being compelled to go to Protestant churches on those days *against their will*—an evil that leads brave and loyal subjects to complain and to be discontented, etc., etc., at a time when every hand and heart should be united to oppose the enemy; and the United Kingdom should be as one man."

It will be seen that this list makes no mention of the civil disabilities which Catholics were still under, and which from the popular point of view formed the chief basis of their agitation for Emancipation. We can find these enumerated in the list of grievances recited by Charles Butler in his Address to the Protestants of the United Empire in 1813, at which period the laws in force continued unchanged. His enumeration is as follows:—[1]

"1st. By the 13th Charles the Second, commonly called the Corporation Act, their whole body is excluded from offices in cities and corporations.

"2nd. By the 25th Charles the Second, commonly called the Test Act, their whole body is excluded from civil and military offices. . . .

"3rd. By the 7th and 8th William the Third c. 27th Roman Catholics are liable to be prevented from voting at elections.

"4th. By the 30th Charles the Second s. 2, c. 1, Roman Catholic Peers are prevented from filling their hereditary seats in Parliament.

"5th. By the same statute, Roman Catholics are prevented from sitting in the House of Commons.

"6th. By several statutes Roman Catholics are disabled from presenting to advowsons, a legal incident of property which the law allows even to the Jew.

"7th. Though a considerable proportion of His Majesty's fleets and armies is Roman Catholic, not only no provision is

[1] *Hist. Mem.*, iv., p. 198.

made for the religious comforts and duties of Roman Catholic soldiers and sailors, but by the articles of war they are liable to the very heaviest pains and penalties for refusing to join in those acts of outward conformity to the religious rites of the established church which a Roman Catholic considers to amount to a dereliction of his faith. By the articles of war, sect. 1, a soldier absenting himself from divine service and sermon is liable, for the first offence, to forfeit one shilling, and for the second and every other offence to forfeit one shilling and to be put in irons. By the same articles, sect. 2, art. 5, 'If he shall disobey any lawful command of his superior' (and of course if he shall disobey any lawful commands of his superior officer to attend divine service and sermon) 'he shall suffer death, or such other punishment as by a general court-martial shall be awarded. . . .'[1]

"8th. In common with the rest of his Majesty's subjects, the Roman Catholics contribute to the religious establishment of the country; they have also to support their own religious functionaries; and thus have a double religious establishment to defray. Of this, however, they do not complain; but they think it a serious grievance that their own religious endowments are not legalised like those of the Protestant dissenters.

"In hospitals, workhouses and other public institutions the attendance of the ministers of their own communion is sometimes denied to the poor of the Roman Catholic religion, and the children of the Roman Catholic poor are sometimes forced into Protestant schools under the eyes of their parents."

With such laws as these still in force, it was no wonder that the Catholics were continually clamouring for relief. The question was frequently discussed among themselves, and informal communications passed with the Government. If the question was not raised formally during the last eight or nine years of the eighteenth century it was only because the troubles of the times made it inopportune, and the ministers who were consulted could hold out no prospect of the Government taking the matter up at that time.

[1] Writing in 1813, Butler added that this law was by that time allowed in most cases (but not in all) to fall practically into abeyance. Such was not ordinarily the case in 1803, though even then, where, as in Ireland, there was an ordinary church available, Catholic soldiers were commonly allowed to attend it in place of going to "Church Parade".

When, however, the Act of Union with Ireland was passed, all the circumstances were changed. A new force came into being, namely the agitation of a nation, the greater number of whom were Catholics, and who were labouring under disabilities similar to those to which English Catholics were subjected. It was only natural that the Irish should agitate, and from that date until Emancipation was finally won in 1829, hardly a year passed without one or more petitions being presented from English or Irish Catholics, or from both, usually leading to a debate in each House on the main question, till many were weary of the subject. Of course it did not actually follow from the Act of Union that if the Irish Catholics were emancipated their English brethren would share in the advantage; for the laws for Ireland were then, as now, distinct from those for England. But there was every reason to anticipate that it would be so. Both Milner and Butler assert that after the Union, Emancipation became practically an Irish question. Butler says that the English Catholics on that account deliberately stepped aside, and made their own proceedings subservient to those of the Irish Catholics. Milner writes in 1807 :—[1]

"The fate of us English Catholics depends on that of our brethren in Ireland. If their claims are overlooked, ours will never be thought worthy of notice. On the other hand whatever redress of grievances or legal privileges they obtain, we shall not long remain deprived of. Our political weight and importance compared with theirs is small indeed. In a word, they are the stately vessel which catches the breeze and stems the tide; we are the cock-boat which is towed in her wake."

This last remark directs our attention to what was in reality the key to the whole difference of attitude between the Irish and English which will become manifest as we proceed. The English Catholics were a small body, numerically insignificant, and the Government could afford to despise them. They, however, had a sufficient number among the aristocracy to obtain some personal interest. There were indeed members of the aristocracy and landed gentry who had kept the faith in Ireland as in England; but as the bulk of the people remained Catholic, they did not depend on the few of the upper classes in the same way. Their call for Emancipation was the call of

[1] *Letters from Ireland*, p. 5.

a whole nation, and was of the nature of a demand. They could afford to assume an attitude which would have been futile in the case of the English Catholics.

The Catholic religion had indeed never been kept under in Ireland quite as it had been in England. Mass was not entirely proscribed there in the eighteenth century; for with the greater part of the nation Catholic, it would have been practically impossible to carry out such a measure.[1] There were indeed many persecuting restrictions; but notwithstanding these, priests continued to be appointed in every parish, and the clergy retained their influence over the people. A still more important difference concerned the Episcopate. Although the law tolerated parish priests, by a strange contradiction, it refused to tolerate bishops. They were condemned to banishment, and if they returned, to death. Nevertheless the Irish kept up the succession of their episcopate without intermission, though the bishops often had to go by false names, and to conceal themselves when searched for. It was to this double preservation of bishops and parish priests that Cardinal Manning always attributed the preservation of the faith among the people.[2] Their pastors were their natural leaders, and never lost that position. The troubles between the laymen and the bishops in England during the last part of the eighteenth century had no counterpart in the sister isle. The bishops and clergy together led a body forming the greater part of the nation, and their strength was certain in the end to assert itself.

Nevertheless, the laws regulating worship under the well-known Acts of Queen Anne[3] were very severe, and during the first half of the eighteenth century, many of them were enforced. All the regular clergy were subject to banishment, and although a secular priest was allowed in each parish, he was forbidden to have a curate. He was required to register his name and place of abode, and was not allowed to officiate elsewhere. Over 1000 parish priests immediately registered

[1] "In general, the hopeless task of preventing some three-fourths of the nation from celebrating the rites which they believed essential to their salvation, was not attempted."—Lecky, *Ireland in the Eighteenth Century*, i., p. 156.

[2] *Pastoral Office*, p. 222.

[3] "An Act to prevent the further growth of Popery" (1704) and "A Further Act" (1709), termed by Edmund Burke the "Ferocious Acts of Queen Anne'.

themselves; but as time went on, it became doubtful whether new priests would be allowed to register, especially as by the later Act a new oath was prescribed, declaring that the "Pretender" had no right or title to the Crown of England, which the clergy as a whole considered that they could not conscientiously take.[1] For this reason they ceased to apply for registration and in practice numerous unregistered priests, both secular and regular, exercised their ministry in evasion of the law. The old Parish Churches were all in the hands of the Protestants; but Catholics were allowed to have a "chapel" in each parish. This was often little more than a barn or hovel, but it served to enable the people to hear Mass under shelter. There was a curious provision that it should not have a steeple or bell, nor be surmounted by a cross.[2] Presumably the object of this restriction—which had a counterpart so lately as in the English Act of 1791 and the Irish Act of 1793—was to be a continual reminder that a Catholic place of worship was not a "church" in the legal acceptation of the term, and the distinction between "church" and "chapel" acquired a meaning which has survived to our own day. The difficulty about the prohibition of a bell to call the people to service in days when clocks and watches were not plentiful was often surmounted by hanging a bell on a neighbouring tree. In the outlying districts Mass was often said in out-of-the-way sheds, or even in the open air under a tree;[3] and there were various secret signs to inform the people when and where it was to be celebrated.

But although the celebration of Mass was in a certain measure tolerated, it was still obligatory by law to attend the (Protestant) parish church on Sunday, under an old unrepealed Elizabethan statute, the penalty for non-compliance being one shilling each time.[4] And in order to decoy the clergy, it was enacted by a further statute of Queen Anne in 1709 that every priest who turned Protestant became entitled to an annuity of £30 a year for life.[5]

[1] Lecky, i., p. 159. Under the previous Act they were bound to take an Oath of Allegiance to the reigning power. This they freely took: but to disclaim any right or title for the "Pretender" was a further step, to which they felt they could not in conscience proceed.

[2] Lecky, i., p. 156; Parnell, *History of the Penal Laws*, p. 41.

[3] Lecky, i., p. 267. [4] Parnell, p. 20. [5] *Ibid.* p. 40.

In the practical application of these laws, everything of course depended on how far they would be put into execution. In this respect the most objectionable provision of the corresponding English law — that enabling every successful "informer" to claim a reward of £100—existed in a modified form in Ireland. For "informing" of a bishop, the reward was £50; for a priest who had omitted to register himself, £20; for a schoolmaster, £10. This was a substantial difference from the English law, for a prospective reward of £10 or even £20 was not ordinarily sufficient to tempt an honest man to turn "informer," especially in towns and populous districts, where it might involve his facing the anger of an Irish crowd. At one time, the professional "priest-informer" made a lucrative living; but when the Government wanted to let the laws lapse, they were able to do so. In point of fact, some of their enactments—such as the compulsory registration of the clergy —were found unworkable from the beginning;[1] others became gradually obsolete; and by the middle of the eighteenth century the actual persecution was over.[2]

The civil disabilities, however, continued long after that time. They were of much the same character as those in force in England. Most of them seemed to be aimed at the impoverishment of Catholics rather than at their religion.[3] Charles Butler gives a short enumeration of them, which is not quite complete, but will be sufficient for our purpose. His enumeration is as follows:—[4]

"The Irish Roman Catholics were disabled from sitting in either House of Parliament—from every civil and military office, from voting at elections, from admission into corporations, and from practising the law or physic; a younger brother might deprive his elder brother of the legal benefits of primogeniture; any child conforming to the Protestant religion might force his father to yield him up, under the name of a liberal provision, a part of his landed property, and a conforming eldest son might reduce his father's fee-simple to a mere life-estate. A papist was disabled from purchasing freehold lands and even holding long leases; and any person might

[1] Parnell, *History of Penal Laws*, p. 54.
[2] Lecky, i., p. 168.
[3] Rev. E. d'Alton, *History of Ireland*, ii., p. 471.
[4] *Letter to a Nobleman*, p. 6.

Old Bridge Street Chapel, Dublin

take his Catholic neighbour's horse by paying him five pounds for it."

It seems almost incredible that such enactments could have been carried out in a country where four-fifths of the people were Catholics, and it was this which added such a grievous sense of injustice in the case of Ireland as compared with England. Yet it was not until the last quarter of the century that the continued agitation of Irish Catholics brought forth a tangible result; and the fact that it did so then was probably due to the large number of Irish soldiers fighting in the American War, when Government began to fear for their loyalty.

In 1774, therefore, an Act was passed "to enable his Majesty's subjects of whatever persuasion to testify their allegiance for him"; and in reality it did no more. But even this was something, for it allowed Catholics to be at least recognised as loyal subjects. The Oath framed for them to take under this Act was afterwards adopted in the English Act of 1791. In 1778, a further Act enabled Irish Catholics who had taken this Oath amongst other things to hold on long leases, or as life tenants, land which they inherited by descent or by will. This is the first Act which can be truly called one of Relief, and the preamble contains a definite declaration of the policy of admitting Catholics to a participation in the blessings of the constitution. A further Act in 1782 gave them the right to acquire land by purchase, and by the same Act registered priests were freed from all penalties. A second statute in the same year permitted Catholics to become schoolmasters. After this there was an interval of ten years, before, by the Acts of 1792 and 1793 the Irish Parliament agreed to the abolition of all the Penal Laws, strictly so-called, and at the same time removed some at least of the disabilities under which Catholics still suffered. The obligation of attending the Protestant church was formally abolished, while the professions and (with some exceptions) the civil and military offices were also thrown open to Catholics; moreover, perhaps more important than all, the Parliamentary franchise was conferred upon them. The right, however, to sit and vote in either House of Parliament was withheld from Catholics, so that they could not vote for a candidate of their own religion. Even so, however, the Irish Catholics held a distinctly better position than their English

brethren. Though they could not choose a candidate of their own faith, they could keep out those who were bitter against them, and they often profited by their power in this respect.[1] And it was under this Act that the famous Clare election was fought by O'Connell in 1828, which finally enabled Emancipation to be won.

The repeal of the Penal Laws had an immediate effect on the condition of the Catholics of Ireland, who quickly obtained a power and standing to which before they had been strangers. With respect to this we can quote the authority of Bishop Milner. He visited Ireland in 1807—fourteen years after the abolition of the last of the Penal Laws—with the express purpose of informing himself of the state of the country and the trustworthiness of the many stories told about it. He wrote his impressions in a series of letters to an imaginary Protestant gentleman in England, which he formed into a volume which is perhaps the most attractive of all his writings. His views represent Ireland as seen by an outsider with the most sympathetic feelings towards the people. According to him, the law of 1782 which enabled Catholics to acquire real property and to hold it with security told in an important manner on their state, and in the towns at least, the middle classes were rapidly amassing wealth and influence. He writes as follows:—[2]

"Industrious, intelligent, honest and frugal, they have acquired by commerce or trade not only the conveniences of life, but also the means of purchasing considerable portions of the inheritance of their forefathers, which the luxury of the present nobility and gentry has obliged the latter to sell. It is said that more than two-thirds of the real property which has been sold of late years in Ireland has been bought by Catholics; and a well-informed writer asserts that within the last twelvemonth alone they have purchased lands to the amount of above £800,000. From what I myself can observe, it is clear to me that upon the whole there is now a vast deal more wealth amongst the Irish than amongst the English Catholics, not-

[1] Milner, *Letters from Ireland*, p. 203.

[2] *Ibid.*, p. 202. See also McCaffrey, *Catholic Church in the Nineteenth Century*, ii., p. 103.

withstanding so many of the latter are persons of noble families and of great landed property."

At the time when Milner wrote, Catholic "Chapels" were rising everywhere of large size and elaborate design. The movement had been helped on by the action of the Orangemen in the North during the rebellion in 1798; for they had burnt or destroyed numerous chapels, for which the Government made compensation; and by the further aid of voluntary contributions, they were rebuilt on an improved scale. In other parts of Ireland the Catholics were stimulated by this example, and Milner enumerates ten prominent churches which he himself had seen, either in use or in course of construction. He awards the palm to the new Cathedral at Waterford for its exterior, and that at Cork for its interior. He also mentions the church at Thurles, then in course of construction. The Pro-Cathedral in Marlborough Street, Dublin, was begun in 1815.[1] This movement has gone forward ever since, the two noble cathedrals at Queenstown and Armagh being the most notable examples in recent years. Moreover, the movement has not been confined to cathedrals and parish churches, but has extended to convents and charitable institutions of all kinds.

Together with increase of wealth amongst Catholics, came also a sense of their own power. We can again quote Milner.[2] He calls it "one of the political phenomena of the present times; a people without any revolution or other visible cause, rising as it were all at once from apparent insignificancy and absolute contempt, to the first rank of importance and respectability in the scale of nations". He proceeds:—

"Within your memory, Sir, and mine, the Irish Catholics were hardly thought worthy of notice among politicians: they were almost non-entities in the law and constitution of the Empire. If they were mentioned in the legislative assemblies, it was merely for the purpose of adding some new weight to a system of legal oppression avowedly contrived to grind them to atoms: when behold at the present day these Helotes, these Gibeonites, the hewers of wood and drawers of water in

[1] It took a long time to build, and was not roofed in until 1823. The first public service in it was the funeral of Dr. Troy in that year.

[2] *Letters from Ireland*, p. 4.

the land of their nativity, have suddenly acquired so much importance as to justify the first statesmen of the age in unanimously and emphatically assuring us that the fortune of the whole British empire depends upon theirs."

This being their state, their policy was to demand their rights and force the Government to accede to their demands. Whatever they obtained, they obtained by agitation; and their position had anything but subservience about it. If the bishops or those statesmen who advocated their cause used the language of conciliation, they used it as an act of self-restraint, and coupled with the tacit threat—at times even expressed—that there might be serious consequences in Ireland if they were not listened to—an attitude which became more pronounced when O'Connell became their leader.

For the Irish could not but view the whole question with a feeling of bitterness which was at least greater in degree than that of their English brethren. Their whole situation from first to last was due to what they always considered—and at the present day still consider—as a breach of faith on the part of the English in not adhering to what they contend to have been the obvious meaning of the Treaty of Limerick. At that time they had been up in arms, and in a position to hold their own; they had surrendered on the conditions of the treaty, the chief of which was that they were to have freedom to practise their religion: yet they had been persecuted and kept under ever since. There is no need to discuss here the causes or details of the rebellion of 1798; but it is permissible to say that the frequency with which it was attributed by their enemies to the Catholics was a fresh source of bitterness; and when at the passing of the Union they were practically promised Emancipation, and then lost it on a plea connected with the King's Coronation Oath which must have appealed to them as frivolous, once more they felt that they had been deceived. Now that they were beginning to acquire power, the injustice of their position appealed to them more forcibly.

To recount all their grievances would be to tread well-worn ground. We can indeed pass over all questions concerned with the tenure of land, and the relation between the owner and occupier, as being primarily political, and consequently out of place in the present book; though it must be added

that the fact that the majority of landowners were Protestants, differing in race and religion from their tenants, caused the Irish to look upon the whole question of their political state as closely connected with their religion as Catholics. So also the enforced emigration of so many to England, or the Continent, or even to America and Australia, was primarily a political question, though it had a strong religious bearing; for it is due to this that to-day such a large proportion of the King's subjects in distant lands profess the Catholic religion.

But coming to directly religious questions, we are confronted by the standard grievance that an Irishman had to pay his share to the support of two separate religions. The churches had all come into possession of the Protestants, though in the majority of cases there were no congregations to fill them. The service in the country church performed by the parson, answered by the sexton, with hardly another person present, is part of Irish history. So is the periodical visit of the tithe-proctor. About this functionary Milner adds in a note:[1] "Besides the amount of the tithes as valued by themselves, the proctors (illegally) charge two shillings in the pound for valuing them. In some parts of Ireland, as Mr. Grattan stated in the Irish Parliament, the proctor or the farmer exacts two distinct sums for every child whom he finds in a cottage; one for christening the child, another for purifying the mother, though no such ceremonies were performed by any minister, and though in most cases there was no minister to perform them, had they been required."

Yet rich and poor alike all had to pay their tithes and church rates and never sought exemption. Even the Catholic clergy, including the bishops, paid. And when the laymen had paid their tithes for the support of a religion in which they did not believe, they had to pay a second time for the support of their own clergy. There was a regular tariff for Christmas and Easter dues, varying with the circumstances of the parishioners, which was practically enforced by custom as strictly as the payment of tithes and church rates was by law.[2]

Then there was the whole question of proselytising. The Friday soup kitchens in Dublin and elsewhere are also part of Irish history, the chief object of them being to tempt poor

[1] P. 234. [2] Plowden, *Ireland since the Union*, iii., Appendix, p. 3.

Catholics to break their Friday abstinence. The result of this has been that to this day an Irish Catholic looks upon eating meat on a Friday as a virtual denial of his religion, and one of the worst sins which he can commit. On this question of proselytising we can again quote Milner:—[1]

"I have already had abundant means of learning" (he writes) "that the Protestants of Ireland in almost every part of it are possessed of the most ardent zeal for proselytising the Catholics; and this not by means of cool conviction and edifying example, but by downright bribes and terror. Here a Protestant lady clothes, feeds, and provides for Catholic children *exclusively*, whose parents will sell them to her at this price, for the sake of bringing them up Protestants; there a Protestant landlord turns all his Catholic tenants out of their farms or exacts an oath as a condition of holding them, that they will send their children to a Protestant school, which he has set up for the express purpose of proselytism. But why should I dwell on the private instances of the system of Protestant proselytising when it has been publicly professed and acted upon by the Government of the country ever since it gave up that of putting its subjects to death for adhering to their religion. In fact, Sir, unexampled as such proceedings are in past times, astonishing as they will appear in ages to come, no less than £25,000 continue annually to be levied in a great measure upon the Catholics themselves independently of the rents of immense landed estates, for purchasing the children of indigent Catholics (inasmuch as no Protestant child can be admitted into a Charter-school, unless a sufficient number of Catholic children cannot be procured) and educating them in the Protestant religion. In still greater violation of the laws of nature, these purchased victims are uniformly transported in covered waggons or carts to the greatest distance possible from the residence of their parents; the children of the northern provinces being conveyed to the Charter-schools of the South, and those of the South to the schools in the North, in order that the parent may never have the consolation of embracing the child, lest he or she should again make a Papist of it; and the child may never enjoy the advantage of a parent's love and support, for fear it should thereby lose those religious impres-

[1] *Letters from Ireland*, p. 22.

sions which at so great an expense have been wrought upon it! The Turks indeed take away the children of their Greek subjects in order to recruit the ranks of their janissaries; but they do this from a motive of policy, not of religion: the Irish Government alone of all Governments of the world violates the laws of God and nature in extinguishing parental and filial affection, and in separating parents and children for life, from a principle of proselytism."

In view of the incredulousness with which this account was at first received, Milner added a footnote in his second edition confirming it, and referring to the recent debate in Parliament on the Charter Schools in which these facts were admitted, and the credit of the Charter Schools was "not a little shaken". He adds a story of a mother who followed the cart carrying her child to its destination, and succeeded in securing an engagement as a servant at the house where it was lodged, so as to have the nursing of it, without any one suspecting her to be the mother.

In contrast with the Charter Schools can be mentioned the so-called "hedge schools," which were held by itinerant Catholic schoolmasters, with such shelter as could be secured at any locality they might be visiting, where they would gather together the children who lived around. It was in one of these schools that O'Connell received his early education. Up to the year 1782 they were the only means which Catholics in general had of obtaining any education at all, and they seem to have continued long after the law had been changed. It was customary for Protestants to look down on them, but Milner declares that they were more effective than might have been supposed.

If we bear all these facts in mind, it seems almost humorous to read of Irish Catholics being accused of proselytising. If by proselytising is meant that they have put forward the claims of the Church when opportunity offered, the charge is no doubt well founded: for this is what every good Catholic would do. But as for any artifices such as their enemies constantly had recourse to, they had not the power to use them even if they had had the will.

Considering the very different history of the Catholics of England and Ireland, it is not wonderful that they looked at

everything from different points of view, and that there was continual difficulty in securing that cordial co-operation which was so much to be desired. If we add the consideration that from the year 1800, the seat of legislation for Ireland as well as for England being in London, the English Catholics always seemed to have, and often in fact had, a share of influence, compared with that of their Irish brethren, out of all proportion to their numbers, we see the makings of a difficult and delicate situation.

The Irish Hierarchy consisted[1] then of four archbishops and twenty-two bishops of dioceses, some of whom had coadjutors. There was also a "Warden" of Galway, whose position dated back to the year 1484. He was not in bishop's orders, but had almost episcopal jurisdiction, and always attended the meetings of the Irish bishops.[2] Every diocesan bishop had a vicar general; while there was a dean appointed by Rome, and an archdeacon named by the bishop, both of which offices were honorary. The "Primate of All Ireland" was Dr. O'Reilly, Archbishop of Armagh; but practically the leader of the Irish bishops was Dr. Troy, formerly Bishop of Ossory, who had succeeded Dr. Carpenter as Archbishop of Dublin, and "Primate of Ireland" in 1786. He was a member of the Dominican Order, and previously to his elevation to the episcopate, had been prior of their house of San Clemente in Rome, where he had resided since the age of fifteen. He therefore returned to Ireland—as so many did at that date—almost a stranger to his own country. Throughout his long episcopate he always acted in harmony with the "Castle" Government, and in 1800 he was one of those who favoured the Act of Union. In consideration of his eminent services to Government during the period of the Rebellion, he was awarded a State pension; but notwithstanding this, he lived—as all Catholic bishops in Ireland did—in a state of simplicity, and

[1] The following statistics are taken partly from a letter of an Irish priest published by Francis Plowden in the Appendix to the third volume of his *History of Ireland since the Union;* and partly from an anonymous pamphlet published in 1812, on *The Penal Laws in Ireland.* Nothing is known of the author except that he was a barrister and a friend of Milner.

[2] The distribution of dioceses has not materially changed at the present day, except that Galway has been an episcopal see since 1831, when the office of Warden was abolished. There is now a joint diocese of Galway, Kilmacduagh and Kilfenora.

Archbishop Troy

even poverty. The house in which he resided in Cavendish Row is still standing, and is evidence of the retired life of an Archbishop of Dublin a century ago.

A prelate of at least as great influence was the well-known Bishop Moylan of Cork. He had succeeded the unfortunate Bishop Butler, who on becoming Lord Dunboyne, in 1787, had fallen away from the church. Previously to this, Dr. Moylan had been Bishop of Kerry. He, too, no less than Dr. Troy, worked in harmony with the Government, and indeed he took an active part in the negotiations which preceded the Union, taking several journeys to London for that purpose.

According to an official return made by order of Lord Castlereagh in January, 1801, there were at that time about 1000 parish priests, 800 curates, and 400 of the regular clergy. Some 150 of these latter were acting either as parish priests or as curates, and were therefore included in the numbers under those heads. Allowing for these, it will be seen that there were in all rather over 2000 priests in Ireland. The reverence for the clergy among the Irish people has always been proverbial, and Milner testifies that taking the body as a whole, they fully deserved the respect that was paid them. During the eighteenth century, they received their education in the various Irish colleges abroad, the chief being at Paris, Salamanca and Rome. When the French Revolution caused the former to be closed, the famous college at Maynooth was founded and was endowed by the British Government. The number of Catholics among the people has been variously estimated between three-fourths and four-fifths, and was probably nearer the latter figure. Milner at first spoke of the Catholics as 4,000,000; but later on he estimates them at 5,000,000. In this latter estimate[1] he is referring to the year 1813. The census in that year disclosed a total population not far short of 6,000,000, so that Milner was probably not much above the mark in his calculation. In the year 1805, from which point we shall take up the narrative, the figures would have of course been somewhat smaller.

The presence of the Catholic bishops in the ancient sees was a perpetual source of irritation to Protestants. They called them "Titular Bishops"—a singularly inappropriate

[1] *Sup. Mem.*, p. 211. See also Lecky, i., p. 239, and v., p. 80, note.

appellation, which usually denotes one who bears a title without discharging the duties of the corresponding office: and whereas the Protestants considered that the Catholic bishops had no right to the titles, the Catholics, who acknowledged the titles, also bore witness that their bishops discharged their duties. In 1802 Lord Redesdale, formerly Sir John Mitford, became Lord Chancellor of Ireland. Notwithstanding that some of his ancestors in the eighteenth century had been Catholics, and that he himself had championed the Catholic cause in Parliament in 1791, when he came to Ireland he showed himself to be a very bitter enemy of the Church. He even wrote advocating that the assumption of the old titles by Catholic bishops should be suppressed by law, and would probably have used his influence to procure that measure if he had thought there was a chance of success.[1]

We may compare the above statistics of Catholic Ireland with the figures, so far as they are obtainable, in our own country. We shall discuss later on the material for forming an estimate of the number of Catholics in England in 1805; but it is probable that they did not exceed 200,000, which was less than one-twentieth of the number in Ireland. The clergy in England numbered about 400 in 1789, and in 1805 they were certainly not less; for although in the confusion which followed the breaking up of the colleges on the Continent the supply of new priests had been checked, on the other hand, the places of those who died had been more than filled by those French priests who settled permanently in England and undertook regular work. In addition to these there were several hundred French priests still residing in and around London, waiting for a favourable opportunity to return to their own country.

Lastly in place of twenty-six Irish dioceses, we find the same four English "districts" which were established in the reign of James II. Dr. Gibson, of the Northern District, was senior vicar apostolic. He had a long and trying illness in 1805, and although he recovered better than had been expected, he was never quite the same man again. His writing became so shaky that he had to adopt a large hand, almost like a child's, but exceedingly difficult to read. He retained much

[1] See Milner, *Letters from Ireland*, p. 30.

of the vigour of his mind, at least for some years afterwards. The year after his illness he applied for a coadjutor. The *terna* submitted were Rev. Thomas Smith, who had been a professor at Douay during Dr. Gibson's presidency; Rev. Thomas Eyre, president of the college at Crook Hall; and Rev. John Gillow of York, who was afterwards president of Ushaw. The first named was chosen in April, 1807; but most unfortunately his brief was lost in the post, and a long delay took place before he could be consecrated. From the time of his appointment, however, he lived with Bishop Gibson and helped him with his work and correspondence.

The second vicar apostolic in seniority was the venerable Dr. Douglass of the London District. His health was also beginning to fail, and he had already secured a coadjutor in Dr. Poynter. Dr. Gregory Sharrock, vicar apostolic of the Western District, comes next. He applied in 1806 to have his younger brother, Dom Jerome Sharrock, O.S.B., prior of St. Gregory's community at Acton Burnel, as his coadjutor; but the latter refused the appointment on the plea of ill-health, and in point of fact died before his episcopal brother. In his place, the Rev. Peter Bernardine Collingridge, O.S.F., was chosen, and was consecrated by Dr. Poynter at St. Edmund's College, on October 11, 1807. This was the beginning of a long and close friendship between these two bishops, who for many years acted in close unison together.

The youngest of the vicars apostolic was the great Bishop Milner: he was still in the full vigour of life, and continued unaided by a coadjutor for more than twenty years after his consecration.

Each bishop had a vicar-general—or "grand vicar," as he was more often called—and sometimes more than one. In London the Rev. James Barnard continued to act in that capacity until his death in September, 1803, when the Rev. Joseph Hodgson, formerly vice-president of Douay, succeeded him.

CHAPTER II.

THE RELATIONS BETWEEN DR. MILNER AND DR. POYNTER.

THE consecration of Bishops Milner and Poynter introduced two important new elements into the counsels of the vicars apostolic, destined in their different ways to exert far-reaching influence. Dr. Poynter's work lay largely in the future; for he was at this time only a coadjutor, and had to keep his own views subservient to those of his chief, Bishop Douglass. Nevertheless, from the beginning his influence was felt. He was a well-read theologian, fresh from his books—for he continued to teach theology at St. Edmund's College—and had both the strength and the weakness of a man accustomed to scholastic disputation. He had a strong faculty for reasoning and for accurate thought so often produced by that study; but he was also not devoid of its frequent accompaniment in such surroundings, a mind that can perhaps be not unfairly described as argumentative. Being the junior bishop at the Synod of Winchester and Old Hall, it devolved on him to prepare the matter for the discussions, and to report the decisions adopted, which duties he discharged to the satisfaction of all. Throughout his episcopate his familiarity with all the departments of Theology and Canon Law were of good service to his brethren. If ever it became necessary to prepare a case to be referred to Rome, he was able to state it accurately and concisely, and in attractive Latin, for he was a master of that language. He was equally fluent in French, the knowledge of which he had acquired during his long residence at Douay, and he had also a fair knowledge of Italian. In later years when he had to correspond with Consalvi and other Roman Cardinals and dignitaries, his linguistic attainments gave him considerable power.

He also had great advantages when dealing with Catholic

affairs in England. He was a close friend of Bishop Gibson of the Northern District, then Senior Vicar Apostolic, who had been his President for nine years at Douay; and he was also well known to the other bishops: while many of the clergy in the South, and some also in the North, had been his pupils at Douay or Old Hall. His devotion to the old Catholic families was well known, and his work, first as Vice-President, subsequently as President of St. Edmund's College, kept him in touch with many of the most prominent of them, for in those days a large proportion of the Catholic aristocracy sent their sons to be educated at Old Hall. Dr. Poynter always won the respect of the parents, and the troubles due to mismanagement which occurred at the college during the first decade of the century, culminating in the rebellion among the students in 1809, they always attributed—and not without reason—to his frequent and long-continued absences, rendered inevitable by his double position. His courteous manner and unfailing tact always stood him in good stead, and when afterwards thrown into the midst of public affairs, he was able to deal with them far more easily than might have been expected from one who had lived so long within the walls of a college.

But during the early years of his episcopate, his chief work consisted in winning the respect and affection of the leading laymen, and by the quiet unobtrusive influence of his personality, helping to break down the unfortunate barrier between the bishops and the laity which had been set up by the regrettable events which centred round the passing of the Relief Act of 1791.

Milner, on the other hand, had a varied and difficult work before him. He was thrown into the very midst of his enemies. The Midland district was notorious as the centre of that "liberal" form of Catholicism which produced the group of priests known as the "Staffordshire Clergy". They could not but regard his advent as their bishop with apprehension. It is creditable both to Milner himself and to the Midland clergy that the state of tension lasted only a short time. The death of the Rev. John Carter, which had taken place a few weeks before, removed the chief leader of disaffection,—the only one, in fact, still residing in the Midland district who had not made a proper apology to his bishop. Writing to Dr. Troy, Arch-

bishop of Dublin, within a month of his consecration, Milner bears witness to the reception which had been accorded to him. "Instead of experiencing that violent opposition which was generally expected by my friends," he wrote, "I find all the clergy and laity with whom I have hitherto had any concerns, as respectful and submissive as I could wish them to be."[1] The fact is that those who came into contact with him soon learnt to appreciate his great qualities, and conceived an admiration for him, the tradition of which has lasted down to our own day.

Over and above the work in his own district, Milner was concerned with various questions bearing on the welfare of the Church in England in which he took a prominent part. These will be detailed in the following pages, and the reader will have ample opportunity of forming a judgment as to his action. Here it will be sufficient to make one remark. It might have been hoped that the more responsible position in which he was now placed would have caused him to moderate the habitual harshness of his language, and the severity of his judgments. It does not appear, however, that such was the case, and as a consequence, throughout Milner's long episcopate, the Midland district was as isolated from the other three as it was in the times of his two predecessors, Bishops Thomas Talbot and Charles Berington, though for a precisely opposite reason. Formerly the bishops and clergy had been accused of lax principles bordering on unorthodoxy; henceforth the isolation was due to intolerance on the side of strictness.

Then also Milner could not but feel his own strength, and he was always anxious to be the prominent figure in all business in which he took part. This at least forms the best explanation of the anxiety which he showed for the episcopal office, and his disappointment when it seemed for the second time to be passing away from him. The following letter written by him at this epoch is instructive reading:—[2]

[1] *Dublin Archiepiscopal Archives.*

[2] This letter forms one of a collection of Milner's letters published by Sir John Coxe Hippisley in 1813, under circumstances which will be described in their place. In order to authenticate them, he showed the originals in Milner's handwriting to several responsible persons, including Dr. Poynter; though this was indeed unnecessary, as Milner never denied that he had written them.

REV. JOHN MILNER TO SIR JOHN COXE HIPPISLEY.

"WINCHESTER, *October* 26, 1802.

"A second time has every rule by which our little body is conducted been set aside, on purpose to mark me out to my fellow Catholics and fellow subjects as a man under the displeasure of the Court of Rome. In a word, Sir, the Middle District or Episcopacy, to which I had before been recommended by the three Catholic Bishops whose business it is to present, having become again vacant by the death of Dr. Stapleton (who was irregularly appointed by Rome in my place), and I having a second time been unanimously recommended by the same Prelates, I have just now received the affront of an exclusion from the President of the Propaganda, who is your correspondent, Sir, Cardinal Borgia, in terms which imply that I am never to look for any favour from Rome, because I am displeasing to certain persons of our own body (as I presume), whose displeasure I incurred by supporting the rights of his Holiness when they were desirous of introducing democratical elections of Bishops, on the plan of the French schismatics. I appeal, Sir, to your candour and good sense, how it is possible for any one to serve a Court constituted as that of Rome is at present? It is not the loss of the Mitre, which Rome has twice denied me, when I was regularly recommended for it, that distresses me, but the virtual censure of my conduct and principles which have uniformly [rewarded] me with the warm applause of the best judges of them, the Catholic Bishops of the three United Kingdoms. This circumstance renders it impossible that ever I should stand forward again as the advocate of Rome; and makes me wish for an entire dismissal from her Ministry, which I have an intention of applying for, after a formal justification of myself, if you, Sir, would be so kind as to forward the same to Cardinal Borgia, as you offered to do on a former occasion, and to give that character of me to him and your other friends at Rome which you think me deserving of."

When the memorial alluded to had met with success, and, chiefly through the unexpected influence of Cardinal Erskine, Milner had been appointed bishop after all, the same feeling of his own strength prompted him to write and act as if he

wished to be the leader of the vicars apostolic; but owing to the asperity of his language and conduct, the others would not accept his leadership. This led to continual friction, and in the end it even appeared as though he was making an organised attack on his brother bishops, first by his repeated pastorals against them; then by his action in conjunction with the Irish bishops; and finally in Rome itself.

Milner's connection with the Irish bishops, indeed, placed him necessarily in a position which would have needed the greatest tact to fill without mutual offence being caused. For many years he acted as their agent in all matters that concerned the English Parliament, or that were in any way connected with England. This gave him a twofold position, which could not but lead to a difficult situation. He would discuss matters with the English vicars apostolic, whether by letter or by word of mouth, as one of themselves, and then would suddenly claim a dominating voice on the ground that he represented nearly thirty bishops in ordinary, against three or four vicars apostolic or coadjutors. This was a position which the others refused to accept. Milner, however, continued to assert himself, being apparently unconscious of the offence that he was giving. He made no secret of his opinion that religion was in a deplorable state in England, and that the only hope of a remedy was by the assistance of the Irish bishops. Fortunately Dr. Troy was wise enough to see that, even if there were evils to remedy, any interference on the part of himself or his colleagues would lead to far greater ones, and very properly refused to allow himself to be implicated in the matter.

We may quote a letter written by Bishop Milner from London in the year 1807, in which he looked back on the work of the first few years of his episcopate, and gave his opinion to Dr. Troy, with all candour:—[1]

"I have again and again, in the report I have made to Rome, of the state of religion in England, represented those evils under which it groans, *viz.*, the frequent and notorious publication of heterodox and schismatical doctrine in this city, without the slightest discouragement, from whence it flows into other parts of the island; the diversity of discipline and practice that prevails amongst the clergy, the constant and systematic

[1] *Dublin Archives.*

opposition of Bishop Douglass to the holding of any synod or other meeting of his episcopal brethren for remedying these and other evils, which opposition can only arise from an unwillingness to put himself upon a level with his said brethren, . . . lastly his inattention to the passing occurrences of the times, in consequence of which many opportunities of serving religion in its essential interests are lost. It was from this general view of the state of religion amongst us that I long ago mentioned to your Grace my earnest wish that some one or more of the enlightened and illustrious Prelates of your Island might be deputed by the Holy See to visit us Vicars Apostolic and to report to it your observations and discoveries in this essential business, a plan which would not be liable to any objection on the score of politics. It was true your Grace thought it then impracticable, and accordingly I contented myself with representing the state of our affairs to the Congregation, both under the Prefecture of Cardinal Borgia and that of Cardinal Pietro."

Throughout his life Milner's activity of mind and strength of will were phenomenal; and to these he joined a quality which under these circumstances added greatly to his power—namely, that he firmly believed in himself. The idea that his judgment, whether of principles or of facts, might conceivably be wrong, never seems to have even occurred to him. His instinct for orthodoxy was very keen, and he was at the same time a shrewd observer of facts and of character. His forecast of events often proved right when others had failed to appreciate the probable results of the influences at work. Of this he was conscious. Writing to Bishop Douglass in 1811, he says plainly: "As I never once gave you an advice which you had occasion to repent of, . . . so you never once found me wrong in my predictions or measures."[1]

But after all, Milner was human. He was not always right, and as a result of his self-confidence, his judgments were often over-hasty, sometimes, to say the least, uncharitable, or even entirely mistaken; and when this did occur, the harshness and intolerance of his language intensified tenfold the injury which he did. It seems fair to add that he seems to have been wholly unaware that his language was harsh at all. In his Supple-

[1] See letter in *Westminster Archives.*

mentary Memoirs[1] he even appeals to the style in which the book was written to show that he was mindful of the request that had been made to him by the Roman authorities to write "with moderation, and without irritating the feelings of others". The reader who takes note of the many paragraphs from that work quoted in the *Dawn of the Catholic Revival* and in the present volumes respectively, can judge how far they fall within this description. But Milner evidently thought the whole book did, and that he was accustomed to write with moderation. Indeed, he often complained of others using harsh language to him, which may have been at times true; but it had usually been provoked by his own harsher language. And it is hardly an exaggeration to say that his feelings towards Charles Butler amounted almost to a monomania. In his Supplementary Memoirs he frankly calls him "the one domestic enemy of the Church, whom he despairs of reclaiming, and therefore thinks it his duty to disarm". This is not the place to discuss the merits or demerits of that famous lawyer. Those who read the following pages will probably find some things to disapprove of, as well as much to applaud in his action. Milner could only see the former, and continually suspected him—and often openly accused him—of duplicity and intrigue of which he was entirely innocent. Charles Butler on his side felt strongly against much of Milner's action, and at times wrote in that sense, but his language about the bishop must be admitted to be less wanting in Christian charity than the bishop's towards him.

Quite early in his episcopate Milner found a separation growing up between himself and his colleagues. Even before he was bishop, a misunderstanding had begun between him and Bishop Douglass, dating from the time when the latter accepted the retractation of Joseph Berington and restored his faculties. Writing to Bishop Sharrock on 18th September, 1801, Milner says:—[2]

"It is certain that some degree of coolness has taken place between me and my good superior, Bishop Douglass. . . . I am free to confess that the reserve in question originated with myself. I am not insensible of his great merit, and innumerable favours conferred upon me, still I cannot help feeling that

[1] P. 231. [2] *Clifton Archives.*

the flexibility of his disposition which makes him always to be of the opinion of his last adviser, betrays me no less than himself into a constant scene of inconsistency. Whence I conclude it is better not to intermeddle at all than to have my plans marred and counteracted in the very execution of them. I will instance this in the two negotiations with Mr. Berington. On both occasions the bishop engaged me to attack that innovator, and in short was much more violent against him than I approved of, and on both occasions he left me in such a situation that I lay entirely at the mercy of my adversary."

Before Milner had been bishop many months, this state of tension had developed into an open rupture; Bishop Douglass for a time refused to receive any more letters from him. In reply to Bishop Sharrock's inquiries, early in 1805, he thus explains his feeling on the matter:—[1]

"It is, I am convinced, much better for Mr. Milner and myself that no letters pass between us. You would be greatly hurt by the perusal of some letters which have been written by him to Messrs. Poynter, Wheeler and Griffiths.[2] You know Mr. Poynter well, and will not believe that he deserved to be treated insolently and abused by Bishop Milner. The violence, bullying and insults I have seen in his letters have determined me to decline keeping the correspondence. Mr. Hodgson agrees with me. With every good wish to Bishop Milner and to you, etc., etc."

Dr. Poynter had acted as administrator over the Midland district during the vacancy which preceded Milner's election. He had been named by the previous bishop, Dr. Stapleton, though there was some doubt as to the validity of the nomination. Nevertheless, he went down there after Dr. Stapleton's death and stayed in the district for some little time. The following spring he even issued a Lenten Pastoral, which was read in the chapels after Milner's appointment was actually known. This may have given rise to some friction between them; but in reality it was due to the essential difference between the temperaments of the two men, which caused them always to view things in different lights. Dr. Poynter was a

[1] *Clifton Archives.*

[2] Rev. James Wheeler was a chaplain at Moorfields: Rev. John Griffiths at St. George's Fields.

man of polished manners, and proverbial coolness and moderation. He was anxious to heal up the breach which still existed between the clergy and laity, and though he was as distrustful as any one of the tendency to which the attitude of the latter had led, he thought that the best and most Christian way to control them was by a cordial attitude on his part, which would enable him to obtain an influence over them. He was always friendly to Charles Butler, and the members of his party; and in like manner he endeavoured to control the orthodoxy of the French clergy in London by his personal influence with their bishops. Milner, on the other hand, could not understand any kind of control other than that which results from what we sometimes denote as a frontal attack. All attempts at mutual explanation he looked upon as so many temptations to induce him to give way. Dr. Poynter's whole attitude he regarded as timidity and weakness, and he was not afraid to say so in language which must at least be called unseemly.

Milner did not settle down to his new life without some difficulty. The house at Longbirch, near Wolverhampton, was unsuited to his tastes, being away in the country, and more fitted, as he said, for a gentleman farmer such as Thomas Talbot, who had lived there many years, than for him. He soon moved to Wolverhampton itself, taking a house which is still standing, called Giffard House, after the Giffards of Chillington, then one of the most influential Catholic families in the Midlands. It was the same house which had been occupied by Rev. John Carter, the leading member of the "Staffordshire Clergy" till his death in March, 1803. Milner took up his residence there at Michaelmas, 1804.

From the first, however, Milner felt the disadvantage of being so far from London. All his inclinations drew him to the capital, and he was convinced of the good he might do by means of the influence which residence there would give him. It was with his knowledge and consent that Dr. Troy, Archbishop of Dublin, and Dr. Moylan, Bishop of Cork, petitioned the Holy See to transfer him to London.[1] Interest was also

[1] For the correspondence bearing on the proposed translation of Milner to London, see numerous letters in the Archives of Westminster, Birmingham and Dublin, as also in the Archivium of the Propaganda in Rome.

made with Cardinal Erskine through their mutual friend Sir John Coxe Hippisley, to procure his support to the proposal. Two alternative schemes were suggested: one was that he should reside in the metropolis as the official agent of the Irish bishops, and govern his district through a coadjutor; the other was that he should simply change places with Dr. Poynter. It appeared at first as though the negotiations were likely to succeed, and on 29th January, 1806, Milner called upon Bishop Douglass to consult him on the matter. He offered the latter scheme in preference to the former, as being more in keeping with the dignity of Dr. Douglass, and considered that in so doing he was making a magnanimous offer, for Dr. Poynter would have become an independent bishop instead of only a coadjutor. Against this, however, it might well be argued that Dr. Douglass was becoming very infirm and was not likely to live many years—in the event he lived only another six and a quarter—and the position of the London vicar, to which Dr. Poynter would naturally—and did in fact—succeed, was far more important, and practically more dignified than the corresponding post in the Midlands.

But however that may have been, Dr. Douglass absolutely refused to agree to what was proposed. He felt hurt at the matter having proceeded so far before he had been consulted, or even informed. He called attention to the fact that Dr. Poynter was President of St. Edmund's College and could not be spared; and in any case, he refused to accept Milner as his coadjutor, saying that he would rather resign altogether. The London clergy all supported him in his refusal, for they were deeply attached to Dr. Poynter. Dr. Douglass therefore wrote, in answer to the letter from Cardinal di Pietro, Prefect of Propaganda, in this sense, and for the time the scheme fell to the ground. Propaganda, however, gave leave to Milner to reside in London from time to time, so far as this was necessary for his work as representative of the Irish bishops, a permission which the Pope afterwards confirmed with his own hand. This was no doubt valuable as an official approbation of his position as Irish agent; but in so far as the privilege itself was concerned it was unnecessary, as he did not require to be absent from his district for more than a few weeks in the year, and for such short absences no special leave was necessary.

In the meantime Milner had become implicated in a law-suit, which for a while seemed to threaten to go against him, in which case he had serious thoughts of resigning his district. The details of the suit can be given in his own words. Writing to Dr. Sharrock on February 18, 1805, he says:—[1]

"My suit stands precisely thus. Mr. Taylor, who is Bishop Douglass's friend, and the architect of Old Hall, paid his address to my ward, Miss Pyke, and offered very large settlements, at the same time absolutely forcing me to be trustee for them. On the evening, however, of the expected marriage, which was to have taken place at Longbirch, I found that he had flown from his agreement in the deed that was presented to me to sign, and that the same was insecure in every respect: on which I refused to be trustee, and referred the business to the lawyers to settle; for hitherto I had employed none, so great was my confidence in Mr. Taylor. This occasioning a delay, Miss Pyke and I became informed from Mr. Wheeler[2] that Mr. Taylor was under matrimonial engagements to Miss Gabb, which circumstance he has constantly refused either to contradict or to explain to us. On the contrary, he has filed a bill in Chancery against Mr. Wheeler, myself and Miss Pyke, full of the grossest falsehoods, and some of them disgraceful to the Catholic religion, for the purpose of making us answer upon oath a hundred impertinent questions, and giving him a sight of all our letters and papers, in order, as he states, to get evidence for founding an action at common law against us, of which evidence he confesses he is destitute at present. The affair is perfectly ridiculous on Taylor's part."

The sequel was not without anxiety for Milner, who felt that as a priest he would have to face very considerable prejudice against him, and, in view of his position as a vicar apostolic, an adverse verdict would be a serious matter. The petition against the Rev. James Wheeler was heard before Lord Eldon in March, 1805, and decided against him, so that he was forced to surrender all his papers. Milner thought it better therefore to surrender his own also, without going into court; but on the main action he was determined to defend himself. He retained as his chief counsel Mr. Henry

[1] *Clifton Archives.*

[2] Rev. James Wheeler of Moorfields already alluded to.

Clifford, the same who had been so active in procuring signatures to the Protestation in 1789, and who had been called to the bar immediately on the passing of the Relief Act of 1791. Thus the case had at least the effect of bringing these two together, and causing Henry Clifford to speak well of Milner, which, considering the relations subsisting between them, would have sounded strange enough to those who knew them.

Milner was arrested at his lodgings in Queen Street, Bloomsbury, on February 17, 1806; but he of course found bail for his appearance, and was set at liberty. The case went forward slowly. On May 17 Mr. Taylor asked for an adjournment to await the arrival of an important witness from America, which was granted. Eventually the hearing was fixed for July 4. The following extract from the diary of Dr. Douglass shows Milner's frame of mind on the eve of the case coming on:—

"On the 2nd of July, 1806, [Bishop Milner] called upon me in the evening, much depressed in spirits, and said he had just come from Mr. Brown (his solicitor), and that Mr. Taylor now called for a letter in answer to one he (Taylor) had written to him on the 15th of August, 1804; that Taylor had not written to him a letter of that date; and that Mr. Brown began to apprehend they might gain the cause by some such manœuvre, considering what bad men we had to deal with; and added, 'If I do lose the cause, I must retire from public business'. I became affected by all his boasting, *viz.*, 'Taylor dare not face me in a court,' and 'I dare him,' etc., which we had often heard from his mouth, now sunk into despondency, and I represented to him that my fears were only for the Church, our holy religion, which would be traduced perhaps by the licentious tongues of the lawyers, and by the newspapers; that I confided in God there was no danger of losing the cause. He was so low-spirited he would not stay to sup with me."

This account, written by Dr. Douglass, shows that there was at least some ground for anxiety. This does not indicate anything to the discredit of Dr. Milner. His action in accepting the guardianship in the first instance was unusual for a priest, and, in our own day, it is positively forbidden by the first Synod of Westminster; but we must suppose that in Dr. Milner's

case there was a good reason. He tells us elsewhere that he accepted the post at the earnest entreaty of a dying friend. Granted that he was right in becoming guardian, nothing could be alleged against him beyond a certain want of prudence in not employing a lawyer to draw out the marriage settlements from the beginning. Any unprejudiced person might be counted upon to take this view of the case. But in those days, when a Catholic was concerned the members of the jury were not unprejudiced, and a priest could not expect a fair verdict from any jury. Half a century later, a more celebrated trial, in which a future prince of the Church was concerned, brought out this fact very clearly: and a few years later again, the President of Oscott in a well-known case received an adverse verdict which was universally attributed to religious prejudice. In the case before us, Milner being not only a Catholic priest, but also a bishop, there was too much reason to fear that he might not receive fair treatment at the hands of the jury.

In the event, however, the case broke down, and never reached the jury at all. The following is the account given by Dr. Douglass:—

"1806, July 4. On this day came on the cause in the Court of King's Bench, before Lord Ellenborough. Mr. Garrow, retained by Mr. Taylor, opened the business by a speech of thirty-five minutes' length, in which he spoke of the conduct of Doctor Milner and Mr. Wheeler in the affair before the court in no worse terms than might naturally be expected from a Protestant Counsel in a cause of that nature. Mr. Taylor was then called (to the bar) to substantiate his charge, and after taking the oath, *viz.* that he would speak the truth, etc., he began a narrative from his first introduction to an acquaintance with the family of Mr. Gabb during his wife's illness. Sergeant Onslow, his second Counsel, asked him questions, and his answers to those questions carried him through a narrative of the whole course, *viz.* his courtship with Miss A. Gabb, his breaking off with her, his addresses to Miss Pyke, and the conduct of Mr. Wheeler respecting the former courtship with Miss Anne Gabb. The narrative lasted about three quarters of an hour, including a cross question or two by Sir Vickery Gibbs, counsel for Mr. Wheeler, and Mr. Gabb and daughter. Then Lord Ellenborough arose, and addressing the jury (it

was a special jury) declared the evidence was insufficient; that he (the Prosecutor) had not substantiated his charge, etc., etc., and that they must acquit the defendants. The Jury accordingly gave their Verdict of 'Not guilty'; and not a speech was spoken by the Counsel, nor a witness examined on the part of the Defendants."

It should be added that Mr. Clifford expressed his regret that owing to the turn which affairs had taken, he had had no opportunity of stating Milner's defence on the charges made against him; and Lord Ellenborough, stated in reply that he (Dr. Milner) must be considered as wholly exonerated from them. Thus the matter ended in the complete vindication of his character. He wrote a pastoral with an account of the whole case, which was read in the churches and chapels of his district on the following Sunday.

Being freed from the anxiety of these legal proceedings, Milner once more turned his thoughts towards the possibility of being transferred to the London district, and exchanging places with Dr. Poynter. His main object, he tells us,[1] was to help to carry out a scheme which he had conceived, for obtaining emancipation by offering to Government a right of veto on the appointment of Catholic bishops, which scheme we shall consider at length later on. Dr. Douglass had asked him to dinner in order to congratulate him on the result of his trial, and in the evening he broached the subject, but with no better success than before. "At the end," writes Bishop Douglass, "he put the question to me in plain terms, 'Did you think it would be more for the honour and glory of God that I should not be your Coadjutor?' I answered, 'I did think so, and I do think so'. He then said, 'I am unfit for the situation I hold, I must retire. There is a book coming out against me'; he added that he could not answer it, not having books to refer to, nor a proper press at Wolverhampton; that he would, if he could get a good worthy successor, retire, then muttered something about the rocks at Lulworth,[2] then rose and hastened to the door."

Nothing daunted, Milner again wrote to Rome. He re-

[1] *Sup. Mem.*, p. 133.

[2] This is probably an allusion to a wish Milner sometimes mentioned of retiring from the world and joining the Trappists at Lulworth.

fused, however, to do any business through the Rev. Robert Smelt, the ordinary agent of the English vicars apostolic. The latter had visited England the previous year, and Milner accused him of neglecting his work by his long absences from Rome, and he made his application through the Rev. Luke Concannen, O.P., the agent of the Irish bishops. He also wrote to Cardinal Erskine, who sent for Mr. Smelt to assure him that he was against the transfer, and showed him Milner's letter. Mr. Smelt wrote to Bishop Douglass as follows:—[1]

"Bishop Milner has sent him (Cardinal Erskine) his late printed letter,[2] with a long one in manuscript, in which he complains much of the decree preventing his removal to London, where he thinks he could do so much more good than those who at present are there; that the earnest request of the Irish bishops ought to be attended to; that the French refractory bishops and priests write and publish violent works against the Concordat, etc.; that those who ought to put a stop to such proceedings suffer them to go on with impunity."

A little later, Bishops Troy and Moylan again wrote pressing for Milner's removal to London, and they also wrote to Cardinal Erskine; but he remained opposed to the scheme on the ground that Milner's presence in London would lead to continual contention.

Milner was indeed aware that his removal to London would be against the wishes of the other vicars apostolic, for he was bent on introducing what he considered necessary reforms in the administration of the London district, which would have been an indirect censure on them all. In a letter to Dr. Troy dated November 8, 1806, he gives his views on the matter. Alluding to news which he had just received from Rome, he writes:—[3]

"It is plain that the Cardinal and Secretary wish me and Dr. Douglass to settle matters together, being ready to approve of any such agreement, and Dr. Concannen asks me whether your Grace could not propose some terms to the said Bishop for the general interest of religion. I am of opinion, however (if I must speak plain), that he has now and had even

[1] *Westminster Archives.*
[2] *I.e.*, his Pastoral, giving his account of the circumstances of his late suit.
[3] *Dublin Archives.*

whilst I was his subject, a sort of jealousy of me which will always induce him to keep me as far as possible from the scene of action. Amongst other things, he fears that if I were in London I should be for reforming many things which he thinks it best to overlook, and I must own he is not deceived in his conjectures. For really the state of things there with respect to doctrine as well as discipline is almost like that of the Israelites when the latter were without a judge, and every one did that which seemed good in his own eyes. I could draw such a picture of the conduct of my good but weak brother as would amaze your Grace and every other well-informed beholder. As to my worthy, but still weaker friend, Dr. Gibson, his opposition to my agency is mere wrong-headedness, in consequence of the representations of Dr. Douglass. It would be an easy matter to conciliate him to the measure. With respect to Bishop Sharrock, who is the most clear-headed man of us all, and perhaps the most public-minded, he has for years lamented to me the want of a proper ecclesiastical agent in London, and has lately in a formal manner appointed me to be his representative in all public concerns of religion. At the same time he professes himself afraid of giving offence to our two colleagues by supporting his opinion in the face of Propaganda. I shall now wait in patience and submission to the will of God, to the account of what may be determined by the Congregation at the end of this month or the beginning of the next."

The Congregation was held early in December, 1806, when the proposal of Milner's removal to London was finally negatived.

In view of these proceedings it is not wonderful that various inaccurate rumours were spread abroad. It had at one time been proposed that Milner should reside in London as Agent for Propaganda; at another time that he should become "Agent for the Clergy"—a position which seemed to indicate that he might become a kind of Archbishop or Primate; and the idea that he wished for some such position was favoured by the contention often urged by the Irish bishops that there should be some kind of hierarchical subordination among the vicars apostolic, and that many of their difficulties arose from their having no regular head over the others. The following

extract from the diary of Dr. Douglass relates to the rumours which were spread abroad about this time:—

1807. April 12. A report going abroad that Bishop Milner was aspiring to, and was endeavouring to obtain from Rome the appointment and jurisdiction of Primate over the United Kingdom, and another report getting abroad that the clergy of the London District were circulating a memorial for subscription of clergy and laity, to be presented to me, and to be sent to Rome against his pretensions, and to defeat the design, Bishop Milner has written a letter to Mr. Jones[1] of St. Patrick's Chapel denying the charge, declaring the report to be unfounded, and praying him to make this declaration known to the London clergy. Bishop Milner has written also to Mr. Griffiths of St. George's Fields to the same purpose. Both letters were read at the dinner of the same society of clergymen, held at the house of the Rev. William Wilds, Broad Street, Carnaby Market. The letters were heard with astonishment, no memorial against Bishop Milner being thought of, and not a word being mentioned in the said letters of his having aspired to be my coadjutor, and to reside in London, the whole body of the clergy there assembled broke into the cry, "He does not deny that he aspired to be coadjutor to our Bishop. We will not have him, we will not let Mr. Poynter go," *viz.* to Wolverhampton. Mr. Jones has written to Bishop Milner that the clergy of the London district had not an idea of such a memorial for subscriptions, but that they all would oppose his being appointed coadjutor to their bishop, etc. Bishop Milner appears from the two letters he wrote to Messrs. Jones and Griffiths to be grievously hurt in mind by this report of a memorial against him."

Here the matter rested, and in the event Milner spent the rest of his life as Vicar Apostolic of the Midland district, while Dr. Poynter remained coadjutor to Dr. Douglass, whom he afterwards succeeded.

[1] The full text of Milner's letter to the Rev. J. Jones and the latter's answer are given in full by Husenbeth (p. 134 *seq.*).

CHAPTER III.

THE EARLY STRUGGLES FOR EMANCIPATION.

It has already been observed that when Pitt brought forward his bill for the legislative union between Ireland and England, he looked upon Catholic Emancipation as an integral part of the scheme. This fact should in justice never be lost sight of. In a pamphlet published anonymously in 1798, but understood to be the official statement of the case,[1] it was indicated fairly openly that although the Protestant Church in Ireland must continue to be the State Church, the Catholics could look for relief from their disabilities, and might even receive a share of the tithes.

The claims of the Irish Catholics indeed formed one of the few subjects on which Pitt and Fox were agreed, though they looked at the question from very different points of view, and would have supported their conclusions by totally dissimilar reasons. However, the matter was not allowed to proceed further, the King exercising his veto, in consequence of which Pitt and his Ministry resigned. This fact also should be borne in mind. After this, for a time, the prospects of Emancipation seemed remote.

Pitt's successor as Prime Minister was Mr. Addington, who had been Speaker in the House of Commons. He accepted the post with reluctance, and found great difficulty in forming a Ministry. The contrast between him and his predecessor gave rise to the well-known couplet:—

> As London is to Paddington,
> So is Pitt to Addington.

Considering the circumstances under which the new Ministry came into being, it was evident that the Catholics had not

[1] The author was Mr. Edward Cooke, Under-Secretary of State, and the close friend of Lord Castlereagh.

much to hope for from them; moreover, the affairs of Europe were in a sufficiently grave state to engross the attention of Government. After three years of office, the continental outlook appearing very threatening, Addington resigned, and Pitt became Prime Minister once more. His idea was to form a Coalition Government to meet the crisis; but the king refused to agree to Fox's presence in the Ministry, and when this decision was known, both Lord Grenville and Mr. Windham refused to accept office.

It was natural that Pitt's return to power should be the signal for raising the question of Emancipation again. A petition was accordingly prepared in Ireland, to be presented to Parliament. In this the petitioners began by a profession of loyalty to the king, quoting the terms of the oath which had always been taken by them. They proceeded to quote the preamble of the Irish Act of 1778, in which it was declared to "tend not only to the cultivation and improvement of this Kingdom but to the prosperity and strength of all his Majesty's Dominions, that his Majesty's subjects of all denominations should enjoy the blessings of a free constitution, and should be bound to each other by mutual interest and mutual affection". They then proceeded to a recital of their grievances. They complained that they were disabled from holding offices on all corporations, from being sheriffs or sub-sheriffs, of holding offices of rank in the army and navy, and in the higher walks of the law. These disabilities they contended were very far-reaching, for they practically established Protestant monopolies, and this was detrimental to trade. They complained that while they had been conceded the elective franchise, the representative franchise was still denied to them, and even the peers of the realm had no share in the government of the country. They protested that they had not the remotest wish to injure the Established Church, declaring that their sole object was to obtain "an equal participation, on equal terms with their fellow-subjects, of the full benefits of the British laws and constitution". The petition was signed by six peers, three baronets, and eighty-nine men of property or distinction.

When the petition was ready, a committee waited on Pitt, on March 12, 1805, to ask him to present it. To their surprise, he not only refused to do so, but said that if it was pre-

sented by any one else, he would feel it his duty to oppose it. Afterwards it transpired that he had made a promise not to bring the Catholic question forward again during the king's lifetime. The Irish deputies accordingly turned to his rival, Fox, who had always been a friend to religious toleration. He willingly undertook to bring the matter forward in the House of Commons, while Lord Grenville undertook the same office in the House of Lords. The petition was presented in both Houses on March 25; and the motion to take it into consideration was fixed for May 10 in the House of Commons, and May 14 in the House of Lords. A counter-petition was presented from the citizens of London, and another from the University of Oxford.

The English Catholics stood aside, and took no part in the agitation at this stage. Their reasons for so doing were given by Sir John Throckmorton, in a tract which he published the following year. He wrote as follows:—[1]

"It has been asked, I believe, why the English Catholics did not join their Western brethren in their Petition?—We stood not on equal ground; and the same words would not have described our cases. Through the kindness of their own Parliament, they have advanced before us. Many more statutes are still in force against us; and yet our relative situation is far preferable to theirs. We were not a conquered people; from the paucity of our numbers we excited little jealousy; therefore we naturally fell into the general mass, and since the repeal of the most obnoxious statutes, have been permitted to live unmolested, and as our characters and conduct seemed to merit, respected even, and honoured. But our condition, let me say, is far from enviable; and as gentlemen on a late public occasion were profuse in their praises of our irreproachable behaviour, our loyalty and our patriotism, it cannot be long before, by an English Catholic petition, we shall be happy to prove the sincerity of their professions."

And elsewhere he says:—[2]

"In the case of the Irish Catholics, their constancy has amounted to heroism. With us the letter of the penal statutes was as oppressive; but they really felt their whole weight when they were not permitted to have schools for their children, and

[1] *Petition of Irish Catholics*, p. 15. [2] *Ibid.*, p. 27.

were declared traitors if they sent them abroad; when they were not allowed to appoint guardians to them; when they were deprived of testamentary power; when they could not lend money on security, nor purchase freehold lands, nor hold long leases; and when a son turning Protestant might dispossess his father of his property, that is, reduce him to an annuitant on his own estate. 'Thus,' exclaims an Irish author, 'as creatures of the divinity, as fathers, as men, and as citizens, were these Irish on all sides persecuted, outraged, insulted and enslaved, by the most flagrant and stupid penal code that ever triumphed over common sense and humanity.'"

Although the English Catholics did not take any direct share in forwarding the object of the Petition, Milner aided it indirectly, by writing an able pamphlet in its defence in the shape of a letter to a member of the House of Commons. In this he answered the stock objections popularly raised by those who had some of the anti-Catholic bigotry of the times. The chief assertions made by the enemies of Catholics to which he alludes are, that Papists cannot be good subjects under a Protestant sovereign, on account of their doctrine of exclusive salvation; that they do not feel bound to keep faith with heretics; that though the lay Catholics of England renounced this doctrine in their Protestation in 1789, they had incurred episcopal censure by so doing; that even if the Catholics in England were not Papists, those in Ireland were, so that Lord Redesdale when he was Sir John Mitford had championed the Catholics, but now that he was Lord Chancellor of Ireland he had become bitter against them; that "Wherever Popery has raised its ominous standard, there has been no peace"; that the Irish Catholics organised the Rebellion of 1798; that they were bound to persecute heretics; that their allegiance to the Pope was inconsistent with proper allegiance to the king; that the Pope had sacrilegiously crowned Napoleon, who was a usurper; that Protestants must look to the safety of their own Church, for which purpose the king had taken an oath at his coronation which was incompatible with acceding to the petition, etc., etc. We need not stop here to comment on these various accusations: it is sufficient to quote them—and Milner gives references for each having been seriously maintained in print—to show how far prejudice combined with

ignorance had led those who were actuated by an anti-Catholic spirit.

A summary of the debates in Parliament is given by Dr. Douglass in his diary as usual:—

"1805. May 10. On this day the petition of the Catholics of Ireland was discussed in the House of Lords. Lord Grenville, after a most comprehensive and masterly speech, which lasted upwards of two hours, moved that the House resolve itself into a Committee, to take the petition into consideration. The motion was opposed by Lord Hawksbury, Minister for the Home Department, etc. The discussion was adjourned to Monday the 13th. The House did not break up till after two o'clock in the morning. Earl Spencer and Lord Holland spoke well in favour of the motion: Lord Sidmouth (late Henry Addington) and Lord Redesdale, Chancellor of Ireland, particularly the latter, spoke violently against it.

"May 14. The debate on the petition of the Catholics of Ireland being resumed yesterday in the House of Lords, was carried on till five o'clock this morning, and at that late hour the House divided, when there appeared for the petition 49 votes, and against it 178. Majority against the Petition 129. *Proh dolor!* Earl Moira, Lord Hutchinson, etc., spoke in a most animated eloquent style for the petition. Before the close of the debate, Lord Grenville rose and in a very luminous and forcible speech replied to all the objections urged by the opposite side of the House during the debate on both days, but—

"The debate in the House of Commons on the said petition took place yesterday. Mr. Fox made a most comprehensive and masterly speech; he was answered by our enemy Dr. Duigenan, to whom Mr. Grattan gave a most severe dressing in one of the most brilliant and impressive speeches ever delivered. About three o'clock this morning the debate was adjourned till this day (Tuesday).

"On Wednesday morning at half past four o'clock the House divided: for the motion 124; against it 336. Majority 212. Mr. Fox, just before the division took place, replied very ably to all the arguments of those who opposed the motion, and closed with a most animated appeal to the House: but all in vain."

It will be seen that Bishop Douglass makes no mention of the speech of Sir John Coxe Hippisley, which was considered by Butler as the most important speech in the debate, and was afterwards printed with considerable additions by its author. Butler says that at the conclusion of Dr. Duigenan's speech, Mr. Grattan and Sir John Coxe Hippisley rose together, and the latter gracefully gave way. Grattan, though himself a Protestant, was always the sincere friend of the Catholics, and was ever anxious to help their cause. And few people had the power of being of such service, for his eloquence was acknowledged as generally as his character was respected. Milner says,[1] that he "never witnessed any speaker command so much attention in the House of Commons or receive such universal and unbounded applause as [Grattan] did when he spoke on the Catholic question". O'Connell wrote of him that "it was impossible to do justice to a name which was the boast and glory of every Irishman. The splendour of Grattan's talents" (he added) "had been eclipsed by the noble integrity of his heart; and he was the brightest ornament of his native land, which he had so eminently served."[2]

But Catholics also owed much to Sir John Coxe Hippisley, though he had been in touch more with the English than the Irish Catholics. During his long residence in Rome, he had become the personal friend of Pope Pius VI. He was also concerned closely with the mission of Mgr. Erskine to England in 1793, and after the latter's elevation to the cardinalate, remained his intimate friend. He was also the close friend of Milner, who congratulated him warmly on his speech when it was printed. The Irish bishops were equally pleased with it, and Dr. Troy asked leave to have a fresh edition printed for circulation in Ireland: but having obtained leave, he decided after all not to reprint it. His reason has an important bearing on future events. Butler says that the speech contained an allusion to the veto, which question we shall come to in the next chapter, though he admits that the allusion is "only in very general terms". Indeed Butler himself did not recognise any such allusion at the time.[3] The speech, however, contains definite

[1] *Letters from Ireland*, p. 42.
[2] *O'Connell's Speeches*, edited by his son, i., p. 233.
[3] See *Letter to an Irish Catholic Gentleman*, published in 1811, p. 5.

Sir John Coxe Hippisley, Bart.

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allusions to a scheme which was afterwards closely allied with the veto, namely, that the British Government should exercise some kind of supervision over the correspondence between the Catholic bishops and the Holy See; and this Dr. Troy thought unwise even to mention in Ireland, where the people tended to adopt a very uncompromising attitude towards the British Government. Milner deplored that attitude, as likely to defeat the end at which they were all aiming. The following letter gives his views on the subject:—[1]

"WOLVERHAMPTON, *March* 5, 1807.

"What lamentable work is going on in Ireland! I have exhausted all my eloquence and all my interest with both the Aristocrats and the Democrats there, to persuade them to show some consideration for our friends in power, who (they must be convinced) cannot effect their emancipation until a certain great Person's [2] prejudices are removed, who is not apt to give up his prejudices, as to consider his own interest in not alienating from them the only men who are disposed and who will be able at a future time to do all that they wish for. These efforts of mine are known to and are highly applauded by persons of great consideration, but the matter is concluded upon; all parties are united in a resolution to worry the Legislature, till they get their point; and I fear some ill-disposed individuals wish to inflame the minds of the population, and to render them disaffected. Even the bishops have certainly been overrun in this matter, or it might have been stopped *in limine*, though they have avoided all the meetings, and though they disapprove of the Petition, they will be forced to sign it, under pain of losing all their authority over their flocks."

The petition here alluded to was drawn out in February, 1807; but owing to political reasons, its presentation was postponed until the following year. For many events of importance had taken place. In the month of December, 1804, Napoleon had been solemnly crowned as Emperor of the French, the Pope having travelled all the way to Paris to perform the ceremony. In the following October, the Battle of Trafalgar gave England the permanent command of the sea, and made the bugbear of a Napoleonic invasion

[1] *Hippisley Pamphlet*, p. 4. [2] King George III.

which had been threatening for some years past, in the highest degree improbable. A month later, however, Napoleon's great victory at Austerlitz proved the culminating disappointment to Pitt, and notably accelerated his death, which took place on January 23, 1806.

Lord Grenville was the new Prime Minister, and he formed a coalition known as the "Ministry of all the talents"; but it only lasted a year. Fox, who was a prominent member of it, died in the following September; and with his death the Catholics lost their most influential advocate in Parliament. In the succeeding February, the fall of the Ministry was once more brought about by the Catholic question. With the approval of the Cabinet, Lord Howick—afterwards Earl Grey—brought in a bill to remove some at least of the disabilities under which Catholics laboured. Dr. Douglass records its introduction as follows:—

"1807. February 20. On this day Lord Howick, Secretary for the Foreign Department, in the absence of Mr. Windham, Secretary of the War Department (whose election has been declared void), signified to the house (Parliament) that he wished the Committee on the military bill to be postponed from Tuesday next to Tuesday se'ennight; and gave notice that he meant to move in that Committee two clauses, one to enable Catholics to hold commissions in the army, the other to secure to Catholics serving in the army the free exercise of their religion by the sanction and security of the law."

It is to be observed that the bill was intended to apply to Ireland as well as England, and if it had admitted to the higher commissions, it would have benefited the Irish, who under their Act of 1793 were already able to hold commissions up to the rank of colonel. Milner's satire on all such restrictions in connection with the army must have represented what many felt.

"The very idea," he writes,[1] "of exacting religious qualifications to fight the battles of the country in such times as these must appear strange and unaccountable to the nations of Europe. Yet so the law stands. Not only Gentlemen are precluded from holding military commissions in England without abjuring transubstantiation; but also a common man is

[1] *Letter to a Member of the House of Commons* (1805), p. 48.

not permitted by law to shoulder a musket in the militia unless he can swear that he is a Protestant."

He goes on to recite once more the grievance under which all Catholic soldiers suffered :—

"In Ireland, which is the grand resource for recruiting our regular regiments, as well as our navy, the laws against the service of Catholics, with the exception of the higher posts, have been repealed these twelve years. In consequence of this thousands, and indeed hundreds of thousands, of Irish Catholics have been enlisted there under the idea, and under the positive assurances of those whom they considered as the representatives of Government, that they were to be left at full liberty to practise their own religion, and that no conformity with any other would be required of them. But no sooner are these poor men shipped off to England or some of its dependencies, according to the general practice of the War Office (and frequently, as I am told, even before they leave Ireland) than they find themselves precluded from the exercise of their own worship, and forced under pain of the severest punishment to attend another in opposition to their conscientious feelings. I grant that the practice of commanding Officers is not uniform in this particular, a circumstance which rather augments than lessens the evil. I remember an instance of a regiment consisting chiefly of Catholic soldiers being permitted and required here in England to attend their chapel until they received their new clothes and arms. This being done, they were assembled on parade and a letter was read to them purporting that they were ordered by the Commander-in-Chief, henceforward to attend the service of the Church : just as if grown men could at once divest themselves of their earliest and dearest sentiments, and change their religion as easily as they change their clothes."

Had Lord Howick's bill passed, a fair number of Catholics would no doubt have received commissions in his Majesty's army, and there would have been every chance of the grievance of the Catholic soldiers being brought under the notice of the authorities in such way as to lead to redress. But the bill never advanced beyond its first reading. The king had apparently given his provisional consent to its introduction ; but when he was brought face to face with it, his courage failed

him, and he exercised his veto once more. Dr. Douglass writes :—

"1807. March 26. His Majesty has taken so much offence at his Ministers moving the Catholic bill that he has removed them, and called our enemies into their places. Much obloquy will be raised against us. God send that civil commotions may not ensue."

It seems strange enough to our modern ideas to find the king exercising such authority with impunity. A century ago, however, the royal will was all-powerful in such matters. Having vetoed the bill, he called upon Lord Grenville to make a promise that he would never again introduce a bill in favour of Catholics. This pledge the latter felt himself unable to give, and he formally resigned on March 18. The king then called upon the Duke of Portland to form a Ministry, and immediately afterwards dissolved Parliament. At the general election the cry of "No Popery" was raised and did its work. The Government secured a large majority, and what we should now call a "mandate" against conceding Emancipation.

As soon as the excitement of the election was over, however, the pressing matter of the Catholic claims again forced the question to the fore, and those who were favourable to them began to think whether some kind of compromise could not be devised, in order to reconcile their enemies to a measure which they considered the Catholics had every right to demand. It was under these circumstances that they began to turn their thoughts to that part of Pitt's original scheme which can be broadly termed "securities" (chiefly in the form of some kind of control over the appointment of Catholic bishops), which they could offer to Parliament and to the country to induce them to accept Emancipation. The idea was not in itself opposed to Catholic tradition. The absolute freedom of the Holy See in the appointment of bishops which exists in our own day in many parts of the world, is to a great extent the creation of modern times. A century ago it was customary in almost every State in Europe for the Government to have some kind of voice in the nomination of bishops. In the case of non-Catholic States this right was limited to a negative one, or a power of veto over the appointment of any particular candidate who might be unacceptable to Government. It was contended

that already, since the endowment of Maynooth had begun, an informal influence had been exercised by the Government in the choice of bishops in Ireland, as for example by the appointment of Dr. Hussey as Bishop of Waterford. It was thought that if this kind of "influence" could be legally regulated, the enemies of Emancipation might be won over. The course of the discussion was considerably affected by the circulation of Sir John Throckmorton's late pamphlet on the Catholic question, which though less objectionable than his previous writings fifteen years earlier, nevertheless contains some startling doctrine on the question of the election of bishops. He boldly says:[1] "Without attempting the absurd expedient of suppressing the hierarchy in an Episcopal Church, Government has only to signify that it is their wish that the king in future shall have the nomination of the Catholic Bishops. This will be conceded." He makes a similar statement as to the nomination of parish priests, provided that Government would pay them a salary. Of course it is needless to add that he had no authority to make these offers, and those who were responsible for Catholic discipline—that is the vicars apostolic —would have unanimously repudiated them had they ever come within the region of practical politics; but the fact that they were openly made by a Catholic of position and standing, induced many to think that the milder proposal of a negative power or veto on the appointment of bishops would be conceded if sufficient pressure were used.

In the meantime the agitation continued. Soon after the election of the new Parliament, a fresh petition was drawn up by the Irish Catholics. It is noteworthy that on the Committee which drew it up we find the name of Daniel O'Connell, who was then a barrister of growing reputation, in his thirty-third year. From this time his name is never absent from any gathering of his countrymen on the great question of Emancipation, which he was destined eventually to win for them.

The petition was presented to Parliament shortly before Easter; but the debate was unexpectedly delayed by an informality which had been curiously overlooked. Dr. Douglass writes as follows:—

[1] P. 148.

"1808. April 11. On this day the petition of the Catholics of Ireland was presented by Lord Grenville to the House of Lords, and though an informality attached to the petition, in consequence of some of the names signed to it not being written by the persons themselves who bear those names, but written by their desire or authority only, yet the petition was received by courtesy and allowed to lay on the Table. Lords Aukland and Moira regretted that the petition was presented so soon after Parliament (or the Legislature) had declared its decided sense against the prayer of the petition.

"April 12. On this day the said petition was presented in the House of Commons by Mr. Grattan; but on account of the informality above mentioned, it was not received. Handbills inflaming the people against the prayer of this petition are again distributed about the town, as in 1801."

The petition was accordingly returned to Ireland to be properly signed, after which it was sent back to London. It was presented with due formality in the month of May, and a debate on the Catholic question took place in both Houses of Parliament. In this debate the subject of the veto was for the first time discussed in public; we must accordingly devote some space to an account of the exact meaning and circumstances of the proposal.

CHAPTER IV.

THE VETO QUESTION.

IN order to trace the veto question to its very beginning, we must go back to the establishment of the Maynooth Grant in 1795. The idea of the British Government voting an endowment to an institution for the education of Catholic priests was so novel that it is hardly to be wondered that many saw in it the beginning of a new policy, the ultimate development of which would lead to the "establishment" in some form of the Catholic religion in Ireland. An integral part of this policy would of course have been the payment of regular salaries to the bishops and clergy. It had been a long-standing grievance that the Catholics of Ireland, who formed the bulk of the nation, had to contribute to the support of two religions; for they had first to pay their tithes, which went to the Protestants, and then to make voluntary offerings for the support of their own clergy. If these latter were now to receive State salaries, this particular grievance at least would be remedied. But if Government paid for the support of the Catholic religion, it was only natural that they would expect some voice in the nomination of the bishops and dignitaries, including perhaps the President of Maynooth himself. The first mention of this came in 1795, when the Government requested Dr. Troy to ascertain the views of the bishops on the matter. Drs. Troy, O'Reilly and Plunkett accordingly sent round certain questions for their consideration of which the following were the most important:—[1]

"1. Could the Government be allowed the appointment of the President or Professors of Maynooth?

"2. What answer are they to make to the proposal of the nomination of the Bishops by the King?"

[1] See document in the *Dublin Archiepiscopal Archives.*

Eighteen bishops, including the four metropolitans, assembled in Dublin to consider the matter, and returned the following answers :—

To the first, "*negative*, no interference is admissible".

To the second, "The proposal is to be resisted *in limine*".

A further question was put, "In what manner are the Bishops to advise the Pope on this subject?" To this the answer was, "Not to agree to his Majesty's nomination if it can be avoided. If unavoidable, the King to nominate one of the three to be recommended by the respective Provincial Bishops."

The next important mention of the subject which we find was two years later, when Dr. Troy had an interview with Mr. Pelham, the Chief Secretary to the Lord Lieutenant, at his house in Stephen's Green. The date of the interview was May 23, 1797. Pelham raised the question whether the Pope could not give power to the King to nominate the Catholic bishops. We can give the sequel of the conversation in Dr. Troy's own words, from a letter of his to Dr. Plunkett, dated May 23, 1797 :—[1]

"I answered," he writes, "that it was absolutely in his power to do so, but he had never yet done it, only where the Bishops enjoyed estates or revenues under the patronage of the State. 'Then suppose,' said he, 'that the State granted revenues to your Bishops and clergy?' I replied that it was not in the power of the State, I believed, to grant an annual revenue to every Bishop and priest sufficient for their respective support. I calculated that nearly £200,000 would be annually required for that purpose; but allowing the capacity of the State to furnish so great a sum, I deprecated the measure as impolitic and inexpedient; because were it adopted, our instructions and exertions to promote subordination and peace would be ascribed to self-interest, and not as now to a principle of religion. I forebore from mentioning the probability of the most convivial, intriguing and forward amongst our clergy being more successful in their applications to the Government for preferment, than the meritorious, the humble and unassuming. It is my firm belief that if ever this measure should be adopted, it will be followed with the decline, and perhaps

[1] Cogan's *Diocese of Meath*, iii., p. 213.

the final destruction of our religion in this country. God grant that it is not proposed with this very intention. *Timeo Danaos et dona ferentes.*"

So far, it will be seen, the proposal put forward had been that the king should be given the right of positive nomination of the bishops, as is often conceded to a Catholic monarch. In resisting this proposal, Dr. Troy and his colleagues show clearly enough that in a country such as Ireland, ruled by a Protestant king and Government, they viewed the idea of any kind of State interference in the nomination of their bishops with distrust and apprehension. Nevertheless, events soon happened which caused them to modify their views, and to entertain the idea of a royal veto on their nomination as a compromise which might have to be accepted, to prevent worse evils. This we see from their well-known veto resolutions of 1799. In those resolutions no precise form of veto was stipulated for, and the various schemes which were subsequently suggested and discussed by irresponsible persons, differed widely from one another, both as to the extent of the control proposed, and the manner of its exercise. This led to much confusion of thought and of argument, which we shall see as we proceed. It is sufficient to say here that the term always indicated some kind of negative control by which Government could exclude one or more persons to whom they considered legitimate exception could be taken; but they would not be allowed to make any positive suggestions as to who was to be appointed in place of the vetoed candidates.

The events which led Dr. Troy and some of his colleagues to show willingness to accept this compromise were connected with the Rebellion in 1798. They are explained in the following letter of his to Cardinal Borgia, Prefect of Propaganda, dated August 17, 1799:—[1]

"During last December this Government gave me to understand, through Lord Castlereagh, Secretary of the Viceroy and of State, that the guilty conduct of some of our priests, secular and regular, in the recently suppressed rebellion, brought suspicion on our clergy, and therefore the King, our Sovereign, desired to be assured in future of the loyalty of the Bishops

[1] *Dublin Archives.* The original is of course in Latin; it is here translated for convenience.

and priests, and to attach them more closely to his Government by giving each one a suitable annual stipend to be paid from the public treasury, and so relieve the clergy from its present abject dependence on the people; and that this was (he said) the reason why so many priests, instead of opposing the recent popular frenzy, took part in it, or held their tongues through human respect. 'But in that case,' added the Secretary, 'It would be eminently suitable that his Majesty should have the privilege, as in Canada, of presenting to the Pope the subjects whom he deems suitable to be Bishops.' To this proposal I replied, (1) that the rebel or suspect priests were relatively very few in comparison with the large number of loyal priests; (2) that a salaried clergy would be less respected by the people and regarded as the mercenaries and slaves of the Government; (3) that it would require an immense sum to provide a salary for all our clergy; (4) that the Pope alone could alter the existing discipline. I made other difficulties. The Secretary replied that the Government had no intention of attacking the jurisdiction of the Pope recognised by Catholics, but only to come to an agreement with him regarding the exercise of the same, after having heard my opinion. I replied that I could not say anything but what I had already said, or give any opinion without consulting the other Bishops. The Secretary took leave of me, warmly recommending me to consult them at once.

"I wrote immediately to the three Metropolitans, to my Suffragan Bishops, and to other Prelates. They replied in general that they did not view the proposal of the Secretary with favour, but that under the circumstances it was necessary to yield somewhat, since otherwise they would be regarded with suspicion by the Government. They protested unanimously against any condition which would injure the authority of the Pope, or their own rights. As the time for the general meeting of the Deputies or Administrators of our College of St. Patrick was then drawing near, I thought it would be opportune to await the arrival of the episcopal deputies in this city before giving any reply to the Secretary, so that by talking the matter over with them, I might come to a better knowledge of their views, and report them to Lord Castlereagh."

Under these circumstances, therefore, the ten bishops met,

and as a result of three days' deliberation, passed the following resolutions :—[1]

"At a meeting of the Roman Catholic Prelates held at Dublin on the 17th, 18th and 19th of January, 1799, to deliberate on a proposal from Government of an independent provision for the Roman Catholic clergy of Ireland, under certain regulations not incompatible with their doctrines, discipline, or just influence, it was admitted :—

"That a provision through Government for the Roman Catholic clergy of this kingdom, competent and secured, ought to be thankfully accepted.

"That in the appointment of the Prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of Government as may enable it to be satisfied of the loyalty of the person appointed is just, and ought to be agreed to.

"That to give this principle its full operation without infringing the discipline of the Roman Catholic Church, or diminishing the religious influence which prelates of that Church ought justly to possess over their respective flocks, the following regulations seem necessary :—

"1st. In the vacancy of a see, the clergy of the Diocese to recommend, as usual, a candidate to the prelates of the ecclesiastical province who elect him, or any other they may think more worthy, by a majority of suffrages : in the case of equality of suffrages, the presiding Metropolitan or senior Prelate to have a casting vote.

"2nd. In the election of a Metropolitan, if the provincial prelates do not agree, within two months after the vacancy, the senior prelate shall forthwith invite the surviving metropolitans to the election, in which each will then have a vote : in the equality of suffrages the presiding Metropolitan to have a casting vote.

"3rd. In these elections the majority of suffrages must be *ultra-medietatem*, as the canons require, or must consist of the suffrages of more than half the electors.

"4th. The candidates so selected to be presented by the

[1] The original of the Resolutions is preserved among the Dublin Archiepiscopal Archives. Among the different printed copies, several small variations have crept in, though none of sufficient importance to affect the general sense.

President of the election to Government; which within one month after such presentation will transmit the name of the said candidate, if no objection be made against him, for appointment to the Holy See, or return the said name to the President of the election for such transmission as may be agreed upon.

"5th. If Government have any proper objection against such candidates, the President of the election will be informed thereof within one month after the presentation, who in that case will convene the electors to the election of another candidate.

"Agreeably to the discipline of the Roman Catholic Church these regulations can have no effect without the sanction of the Holy See; which sanction the Roman Catholic prelates of this kingdom shall, as soon as may be, use their endeavours to procure.

"The prelates are satisfied that the nomination of the parish priests, with a certificate of their having taken the Oath of Allegiance, be certified to Government.

"Richard O'Reilly [Archbishop of Armagh],
"J. T. Troy [Archbishop of Dublin],
"Edward Dillon [Archbishop of Tuam],
"Thomas Bray [Archbishop of Cashel],
"P. J. Plunkett [Bishop of Meath],
"F. Moylan [Bishop of Cork],
"Daniel Delaney [Bishop of Kildare],
"Edmund French [Bishop of Elphin],
"James Caulfield [Bishop of Ferns],
"John Cruise [Bishop of Ardagh]."

Nine days later the same bishops passed the following resolution :—[1]

"Dublin, January 28, 1799. The prelates assembled to deliberate on a proposal from Government of a provision for the clergy have agreed that the Most Rev. Dr. O'Reilly, the Most Rev. Dr. Troy, the Right Rev. Dr. Plunkett, and such other of the prelates who may be in town be commissioned to transact all business with Government relative to the said pro-

[1] Only seven signatures appear under this resolution, as the three bishops alluded to in it could not sign a resolution appointing themselves.

posal, under the substance of the regulations agreed on and subscribed by them." [1]

These resolutions were forwarded to Lord Castlereagh, but they were not published. The whole negotiation proved abortive, owing to the refusal of the king to agree to Emancipation on any terms, and consequently the resolutions remained unknown for nearly ten years, and were eventually published without proper authority. By that time the Irish bishops were known to be opposed to any kind of veto, and the circumstances under which the resolutions had been passed were much discussed then and later. Milner, writing in 1820, seeks to prove that the bishops in question had no authority to speak on the subject. "The ten Bishops who were induced to enter into the negotiation were not," he says, "the prelates of Ireland, as our historian [2] chooses to term them, nor were they a majority of them, being little more than a third part of their whole number; neither were they on this occasion the representatives of the Prelates of Ireland, for they did not so much as inform their absent brethren of the business in question, either before or after their communication with the Secretary of the Castle.[3] In short, they were barely the episcopal trustees of Maynooth College, who having assembled in Dublin to attend to its concerns, that Minister [4] took occasion to consult them on the double plan of a State provision for the Catholic clergy, and of a Government interference in the appointment of their successors. Hence the answers which they gave to the Secretary's questions were never considered by them, nor can they in justice be considered by others, as expressing anything more than their own private opinion in the existing circumstances on the points proposed to them." [5]

[1] It should be noted that the original claim on the part of Government for a veto was based on their offer to provide State salaries for the clergy. In some of the Colonies, as for example in the Mauritius down to the present day, this system has been in operation. The clergy are in receipt of State salaries, and in return the king, on the advice of his Secretary of State, exercises a veto on the appointment of the bishop. The power has been occasionally, though rarely used, and it has never in fact led to any unpleasant consequences. It does not of course follow that it would have worked equally smoothly if it had been applied to Ireland.

[2] Charles Butler.

[3] It will be seen from what follows that this statement is inaccurate: some of the absent bishops were subsequently consulted.

[4] Lord Castlereagh. [5] *Sup. Mem.*, p. 115.

To this "explanation" we cannot quite give our assent. It is true that the ten bishops had no definite commission to speak on behalf of their absent brethren, and had there been a meeting of all the bishops, in the light of subsequent events, we may question whether the resolutions would have been passed by any substantial majority, or even whether they would have been passed at all; for several of the absent bishops who did not come into contact with the Castle authorities as the Maynooth bishops did, would in all probability have been strongly opposed to the scheme had they been aware of it. Among them, may be mentioned Dr. Coppinger of Cloyne, Dr. Young of Limerick, Dr. Power of Waterford, Dr. O'Shaughnessy of Killaloe, and others. Some at least of these were afterwards consulted, and answered in a hostile sense.[1] Nevertheless the language of the ten bishops—especially in the last paragraph but one—certainly seems to assume that they were speaking for "the Roman Catholic Prelates of this Kingdom," and they probably believed that the others would have accepted their sentiments. It may be argued that they took too much on themselves in answering as they did; but considering who it was that spoke—that they comprised in their number the archbishops of all four provinces of Ireland, including the two primates,—that they were giving a formal answer to Government on an important question concerning the essential discipline of the Church, without any disclaimer of their authority to speak, their answer must surely be regarded as something more than their private opinions as individuals.

Other writers have sought to explain away the action of the bishops by saying that they were intimidated. Mr. Clinch, the well-known Dublin barrister, writing in 1808, speaks of the proposal of Government as "little less than a menace"; and says that the question was "put by an Administration exercising martial law, to the terror-struck Priesthood of a disarmed and almost attainted people".[2] John O'Connell, in editing the *Speeches* of his father, the "Liberator," alludes to "the surreptitiously published resolves of a terrified little coterie of Irish prelates in 1799."[3] Milner himself wrote in this sense:—

[1] See for example a letter written by Dr. Young, apparently in 1799, in answer to one from Dr. Bray (*Limerick Diocesan Archives*).

[2] *Inquiry as to Negative in Appointment of Bishops*, p. 31.

[3] *Speeches*, i., p. 438.

"In January, 1799 (a period when Orangemen and soldiers were demolishing Chapels and torturing Catholic peasants on one hand, and Ministry was employing every artifice to induce the Catholics as well as the other inhabitants of Ireland to agree to the proposed legislative union on the other), ten Catholic bishops, being in Dublin upon other business, were so beset and plied by an able politician and orator, Lord Castlereagh, then Secretary to the Lord Lieutenant, that as the Primate himself has told the writer, they were really led to believe that their Church, upon this event's taking place, would not only be protected, and honoured, but also that it would in a sort of a subordinate way become the established Church of Ireland." [1]

In answer to this contention, Butler quotes a speech of Lord Castlereagh in 1810, in which he speaks of the surprise with which he learnt that "it was alleged that the Roman Catholic Bishops who signed those resolutions had been terrified by the Irish Government of that day into an acquiescence in measures which they afterwards upon reflection disapproved". Lord Castlereagh declared that "a statement so ridiculous on the face of it, and so destitute of truth never could have been countenanced by any one of the respectable individuals who signed those resolutions. The fact was," he continued, "that he never perceived the slightest repugnance on their part to the measure; or a doubt of its being consistent with the principles of their religion, to give to the Crown a negative upon the appointment of their Bishops. As little did they doubt of the arrangements being acceptable to the Pope, whose consent they undertook to endeavour, as soon as possible, to procure." [2]

And in truth we can rebut the allegation from Milner's own writings. In his *Supplementary Memoirs* he describes a conference which he had with some eight or ten of the Irish bishops when he visited Ireland in 1807, more than eight years later. By that time all question of intimidation would have been long over; yet the bishops were of the same mind. They said, "We cannot allow Ministry to choose our Bishops, but we will choose none whom they object to"; "namely" (adds Milner) "on *civil* grounds".[3]

[1] *Elucidation of the Veto*, p. 11. [2] *Hist. Mem.*, iv., p. 121.
[3] *Sup. Mem.*, p. 121.

But there is really no reason to apologise for the decision of the bishops at all. If carefully examined, it will be found to be in accordance with sound reason and theology; and not really inconsistent with their subsequent action. The decision embraces two questions. One is whether a negative or veto on the appointment of bishops, to be exercised by a Protestant power, is inconsistent with Catholic discipline, and the plan which they sketched out is certainly not inconsistent with it; while in their opinion, the safeguards were sufficient to avoid "diminishing the religious influence which the Prelates of [the] Church ought justly to possess over their respective flocks". The Holy See has decided more than once that a negative power can be conceded to a non-Catholic government, provided that sufficient precautions are taken to prevent it from growing into a positive power. Cardinal Borgia gave this answer to Milner in reply to a letter of inquiry in 1805;[1] and ten years later Cardinal Litta drew out the same principle in greater detail in his celebrated "Genoese Letter". To use the language of the day, an "unlimited veto" would not be conceded; a "limited veto" with suitable provisions might be tolerated.

The second question involved in the resolutions of the ten Irish bishops in 1799 was the more political one, namely what degree of interference—within the limits alluded to—they would be prepared to agree to in return for remedying their grievances. On this there was manifestly ample room for difference of opinion, and indeed the answer to such a question would naturally vary somewhat according to the circumstances of the hour. In 1799, with a friendly Administration in power, and Emancipation apparently almost within sight, they were prepared to go to the farthest limits of concession. All this was changed in 1808. Emancipation was no longer a Government measure, and the debates in the two Houses showed that their Parliamentary friends took a view of the proposed concession which was very different from the spirit in which it had been put forward. Moreover the clergy and people throughout Ireland had become alarmed and angry at the very idea of the English Protestants, who had persecuted them so long, now venturing to ask for some kind of control from

[1] *Sup. Mem.*, p. 120.

within; and when for the first time in September, 1808, the whole Irish episcopate met together to consider the matter, it was found that the other bishops were by that time, at least, opposed to all concession. Under these circumstances the original ten bishops joined with their brethren in declaring against any kind of veto whatever. There was no change of principle. They did not deny that some form of limited veto was consistent with Catholic discipline: they did in future deny that it would be expedient to agree to it.

With these preliminary remarks, we can proceed to the history of the negotiations concerning the veto which took place in 1808. We begin with the interview between Milner as representing the Irish bishops on the one side, and the Right Hon. George Ponsonby on the other. Mr. Ponsonby was an old friend of the Catholics, and had spoken in the Irish Parliament against the bill for the union between the two countries. After that Act had passed, he sat in the Imperial Parliament for the County of Wicklow, and for a time for Cork City, till 1808, when he became member for Tavistock. In Lord Grenville's Ministry he had accepted the post of Lord Chancellor of Ireland; but after the death of Fox he resigned his seat in the Cabinet; and when Lord Howick on the death of his father was called to the House of Lords as Earl Grey, Ponsonby became the official leader of the Opposition in the House of Commons, which position he occupied until his death eight years later.

As the interview between Ponsonby and Milner led to important results, we give an account of it in Milner's own words. Speaking of himself in the third person, he describes what occurred as follows:— [1]

"Having arrived in London from Staffordshire on Friday, May 20, 1808, he was the next day conducted by Lord Fingal to the Rt. Hon. Mr. Ponsonby, without however being informed of the subject that was to be treated of between them. To be brief: the Rt. Hon. Gentleman asked him as agent to the Irish Prelates: What power they were disposed to attribute to his Majesty in the choice of future Catholic Bishops? To this question the writer distinctly answered as follows: 'I know very well that they cannot conformably with their religion attribute to his Majesty a positive power in this busi-

[1] *Ibid.*, p. 124.

ness: but I believe on good grounds that they are disposed to attribute a negative power to him. However, as I have no instructions from them on the subject, I cannot positively answer for them.'"

The same evening Milner drew out a scheme of an arrangement for a veto—somewhat hurriedly, as he says—and sent it to Mr. Ponsonby. The part concerning the veto was in the following terms:—

"Dr. Milner presents his respectful compliments to the Right Honourable Mr. Ponsonby, and takes the liberty of stating distinctly in writing the substance of what he did say, or meant to say, in the conversation which he had the honour of holding with Mr. Ponsonby.

"The Catholic prelates of Ireland are willing to give a direct negative power to his Majesty's Government with respect to the nomination of their titular bishoprics, in such manner that when they have among themselves resolved who is the fittest person for the vacant see, they will transmit his name to his Majesty's ministers, and if the latter should object to that name, they will transmit another and another, until a name is presented to which no objection is made; and (which is never likely to be the case) should the Pope refuse to give those essentially necessary spiritual powers of which he is the depository, to the person so presented by the Catholic Bishops, and so approved of by the Government, they will continue to present names till one occurs which is agreeable to both parties, namely the Crown and Apostolic See. It is to be observed however, 1. That the Crown does not interfere with the concerns of any other religious sect or church which it does not support. 2. That the nominators in this business, namely the Catholic Bishops, have universally sworn allegiance to his Majesty. 3. That they will moreover engage to nominate no person who has not taken the oath in question. . . . Dr. Milner has not of course had an opportunity yet of consulting with the Catholic Prelates of Ireland on the important subject of the Catholic presentation; but he has every reason to believe that they will cheerfully subscribe to the plan traced out in the first page of the note."[1]

[1] This letter was not published by Mr. Ponsonby till two years later. It has been several times printed, *e.g.* in Mr. Robert Clifford's Pamphlet the *Origin and Progress of the Veto*, p. 2.

It will be seen that Milner was here advocating an unlimited veto. He did so on behalf of the Irish bishops who had formally appointed him their agent during his visit to Maynooth the previous summer. He guarded himself indeed by saying that he had not yet had an opportunity of speaking to them on this particular subject; but he gave Mr. Ponsonby to understand that no difficulty was likely to arise on their part. Nevertheless, writing twelve years later, he tells us that he did not intend what he said to be taken as a formal proposition, but only meant it as a sort of preliminary discussion. He says [1] that the interview did not last a quarter of an hour, and that the letter was hurriedly written in a bookseller's shop. There is a discrepancy between this account and that of Mr. Ponsonby himself, who asserts that the interview lasted over two hours; [2] so that it would seem that Milner at least tries to minimise its importance. However, even as he tells it, considering Mr. Ponsonby's position, and the fact that the Parliamentary debate was about to take place, it was, to say the least, imprudent of him to commit himself to any scheme which had not been carefully weighed, and still more so to commit himself in writing. For this imprudence he had to suffer, as the sequel will show.

The debate in the House of Commons took place on Wednesday, May 25. Milner was present in the Strangers' Gallery, with many other Catholics. Grattan opened the debate, by presenting the several petitions from Ireland which had been entrusted to him, and moving that they should resolve themselves into a Committee of the whole House to take the Catholic question into consideration. Dr. Douglass describes his speech as "cool, well reasoned, and at the same time eloquent"; yet it was in this speech that the subject of the veto was first formally brought before Parliament. He proposed it as a means to counteract the possible influence of Bonaparte; for he said that the Pope was practically subject to him, and the Pope ruled the Catholics, who were a large number in the British army and navy, so that they were

[1] *Sup. Mem.*, p. 125.

[2] *Ibid.*, p. 122. The mistake of date of which Milner complains, "Before the 3rd of May," is evidently a misprint for "before the 23rd"; for the interview was on the 22nd.

indirectly under the influence of Bonaparte. In order to control that influence, he thought it was necessary that the king should have a voice in the appointment of Catholic bishops, at least a negative voice, so that no one should be nominated to such a post without his entire approval. As a result, he held out the prospect that the Protestant and Catholic Churches would become as one, with the king at the head.

Among the speakers who followed were Mr. Canning, Mr. Windham, Lord Castlereagh, Sir John Coxe Hippisley, and Mr. Elliott; but the most important speech in view of its consequences was made by Mr. Ponsonby, who adverted to the necessity of the royal veto on the appointment of bishops, in view especially of the altered circumstances arising from the captivity of the Pope at the hands of Napoleon. He spoke as follows:—[1]

"By giving the Pope a power over the Catholic clergy and the Government no control over them, they would in fact be putting the superior orders of the clergy under a foreign power, falling under the dominion of France. The Catholics considered amongst themselves, and they determined to give the Government every information upon the subject, and to make their superior clergy subject to the Crown. When a Catholic Bishop in Ireland dies, the other Bishops in that province in which the diocese of the deceased is situated, meet, and conferring amongst themselves, they fix upon the three persons whom they think the most fit to succeed him. They send those names to receive the approbation of the Pope; for according to the Catholic faith it is impossible for certain offices to be performed but by appointment from the Pope, as if by the immediate delegation of Christ himself. Now they have agreed, when the names are returned, to send them to the Lord Lieutenant of Ireland; and if he should object to all the three, they strike them out and send other three in their stead, until the king's approbation of some one of them be received. Even then they send that name to Rome, to receive the approbation of the Pope. This, however, is giving the real and effectual nomination to the Crown."

Being asked by a member a little later on what authority he made this statement, Mr. Ponsonby answered:—[2]

[1] Hansard, 47, c. 608. [2] *Ibid.*, c. 619.

"That he made the statement upon the authority of Dr. Milner, who was a Catholic Bishop in this country, and who was authorised by the Catholic Bishops of Ireland to make the proposition, in case the measure of Catholic Emancipation should be acceded to. The Proposition was this, that the person to be nominated to any vacant Bishopric should be submitted to the King's approbation; and that if the approbation was refused, another person should be proposed, and so on in succession until his Majesty's approbation should be obtained, so that the appointment should finally rest with the King."

Mr. Perceval, who followed, evidently considered the concessions announced by Mr. Ponsonby to be insufficient. Of all the members of the Government, he was the most opposed to Catholics, and in his speech he declared that he could not vote for Emancipation unless the Catholic religion underwent an essential change.

On a division, Mr. Grattan's motion was lost by 281 votes against 128—majority 153.

We can well understand that Milner—who was present throughout the debate—was both distressed and angry at being quoted in favour of a scheme by which the appointment of Catholic bishops should "finally rest with the king".

According to the account published at the time, which both Milner and Charles Butler quote, Ponsonby went even further and said "[the Catholics] will not have any objection to make the king virtually the head of their Church, for so I think he must become". Though this statement does not occur in the official account in Hansard, a similar statement does occur in Grattan's speech. It is in substance not unlike what Sir John Throckmorton maintained in his recent work, in which he says[1] that the king's headship over the Established Church consists in the fact that "he convenes, prorogues, dissolves, regulates and restrains synods or convocations, appoints or recommends to Bishoprics and certain other ecclesiastical preferments". He denies that the king lays claim to any spiritual power, and boldly maintains[2] that in the event of England returning to the Church of Rome, "the prerogative of king as head of the Church except perhaps in the alteration of a few ambiguous expressions would be required to undergo no change; that he

[1] *Considerations*, etc., p. 48. [2] *Ibid.*, p. 49.

would be, as he now professes to be, the sovereign lord of all his subjects, and that the whole external administration of the Church would be subject to his cognisance and control".

There were probably few if any among the Catholic body who would have adhered to so extreme a doctrine as this; and certainly no one would have expected anything in the remotest degree resembling it to be advocated on the authority of Bishop Milner. He naturally felt the position in which he found himself, and without loss of time he wrote a letter disclaiming his agreement to any scheme which could fairly be described in this language; or indeed, having definitely agreed to any scheme at all. In point of fact the statement that the appointment of Catholic bishops was to rest finally with the king, and that he would become virtually the head of the Catholic Church, was Ponsonby's own deduction; and the fact that he stated it so confidently is an illustration of the danger of the whole complexion which the question of the veto was liable to assume in the hands of even well-disposed Protestants. Except, however, for this deduction, the proposal put forward by Ponsonby does not differ from that in Milner's letter quoted above. This letter was not made public at the time, and indeed it appears that Milner had written it so hurriedly that he did not even keep a copy of it. In the explanatory letter which he wrote on the day after the debate, however, he repeated his scheme for a veto, with no substantial change except a clause limiting its exercise in a given case vaguely to "a reasonable number of times".[1] He showed this letter to Ponsonby, and with his consent had it printed. He sent copies to the Irish and English bishops, and to other men of influence.

On the following day again—May 27—the Catholic question came before the House of Lords, on the motion of Lord Grenville, who insisted on the necessity of a power of veto, or "effectual negative" being reserved to Government in any scheme for Catholic Emancipation, adding that it had been part of the intended scheme at the time of the Union, and that the Irish were willing to accept it. In return, he stipulated for a State provision for the Catholic clergy. Butler says that Lord Grenville's proposition with regard to the veto was made at

[1] This letter was afterwards printed in the *Origin and Progress of the Veto*, p. 3; and elsewhere.

the instigation of Milner. The latter replied in his *Supplementary Memoirs*,[1] that he "is perfectly confident that his lordship will flatly deny it if it be advanced in his hearing". Butler's account can, however, be substantiated. Lord Grenville more than once in writing made the same statement as Butler. In a letter to his brother the Marquis of Buckingham, quoted by Amherst,[2] he says, "I cannot say I am much edified with Milner's letter; on the contrary I am more than ever desirous of publishing the few short words he authorised me (in writing) to say on the subject, which contain none of those fine-spun distinctions, but simply express a readiness to consent to an effectual negative". A somewhat similar letter of Lord Grenville's to Butler himself was published by him in the second edition of the *Historical Memoirs*. And, in a postscript to his fly-leaf in answer to Ponsonby's speech, Milner himself adds that he had given his views to Lord Grenville who "gave a very accurate account of them in his very brilliant speeches".[3]

Several other speeches followed, the Catholics being ably supported by Lord Stanhope—their friend of twenty years before, and author of the famous "Protestation"—and Dr. Bathurst, Bishop of Norwich, whose effort Sir John Coxe Hippisley characterised as "perhaps the most effective speech ever made in Parliament". Nevertheless, in the division the Catholics were beaten by 161 votes to 74—majority 87.

Although they were defeated by large majorities in both Houses, the Catholics were not otherwise than satisfied with the course the debate had taken, and considered that on the whole their cause had gained ground. A large amount of heated discussion, however, took place about the question of the veto which had now been formally raised. Speaking of the general result of the debate, Butler says:—[4]

"The effect produced in your favour by what was said in both Houses of Parliament of your willingness to accede to the veto was very great. Even your most determined adversaries seemed to consider that it had gained you your cause. This was the general language within the walls of Parliament, and I believe the first expression which any Catholic heard from

[1] P. 127. [2] II., p. 10. [3] See Appendix B.
[4] *Letter to an Irish Catholic*, p. 6.

his Protestant acquaintance on the following day was a congratulation on the turn of the debate, and on the event which occasioned it."

Butler says that up to that time none of the English Catholics had even heard of the veto, and elsewhere he says expressly that Lord Grenville's speech in the House of Lords, at which he was present, was the first mention he had heard of it. There were of course some among the "Cisalpine" laity, like Sir John Throckmorton, to whom such a concession would have been wholly congenial; but it is probable that the majority of the laymen only looked upon the matter in its political aspect, and its effect in helping forward Emancipation, being content to leave the task of safeguarding the rights of the Church in the hands of the bishops.

The vicars apostolic themselves, however, were far from pleased, especially considering that the proposition had been made by one of their number, without any previous consultation with them. In a letter to Bishop Sharrock, on July 9, 1808, Bishop Gibson writes as follows:—[1]

"I hope you do not approve of concessions said to be made, or made, by one of ours.[2] Is the power of his Holiness to be taken from him, or so limited in regard of Bishops, Vicars Apostolic, Nuncios, etc.? How is he to exercise jurisdiction in Regionibus Acatholicis? What timid concessions to be offered! I hear the Ministers themselves were surprised, and never expected such offers. They would make mere tools of Catholic Bishops, etc. and render them contemptible."

In order to defend himself Milner wrote to Bishop Douglass that he was duly authorised by the Irish bishops to do what he had, saying that in the preceding January they had confirmed their resolutions of 1799, though he gives no details as to the occasion or circumstances of their doing so.[3] He sent copies of three letters which he had received since the Ponsonby interview, two of them since the debates in Parliament had been reported, to confirm his statement that they approved of his action. The following extracts give the parts referring to the question before us:—

[1] *Clifton Archives.* [2] *I.e.*, Milner, one of the vicars apostolic.

[3] There is no record of any meeting of the Irish bishops at that date, so that Milner could hardly have meant a formal confirmation. Possibly he was judging from a few private letters he may have received from individuals among them.

DR. TROY TO DR. MILNER.[1]

"ANNFIELD, NEAR DUBLIN, 28 *May*, 1808.

"Your Lordship needs no further orders or instructions from hence, as you are already invested with full and discretionary powers to transact everything connected with the interests of religion in this country."

THE SAME TO THE SAME.[2]

"DUBLIN, *June* 2, 1808.

"I have the pleasure to assure you that I have not the smallest doubt but your negotiation with Messrs. Grattan and Ponsonby will be fully approved by all our Prelates, and the proposed Veto of the King ratified by them. From the debate it appears that the Veto is not to take place unless the Emancipation be granted. I have just received your interesting lines of the 28th ult. with the annexed printed statement. I am mortified at your having laboured under groundless anxiety and uneasiness of mind. I was convinced on reading the Newspapers that they had mis-stated your conferences with Messrs. Grattan and Ponsonby, and relied on your statement of them in your letter of the 24th. Rest perfectly satisfied that the Veto will be sanctioned by our Prelates, but to one at a time. Were two or three recommended by the Bishops, much evil would follow. You have pointed out some of them in your note in the printed statement," etc.

DR. DILLON (ARCHBISHOP OF TUAM) TO DR. MILNER.[3]

"TUAM, *June* 4, 1808.

"I hasten to approve of your manner of acting in your Conference with Messrs. Grattan and Ponsonby on the appointment of our Bishops. If I remember right, a proposal of a similar nature was proposed to Lord Castlereagh when he was secretary at the Castle of Dublin previous to the Union. The proposal was forgotten by his Lordship as well as all the promises with which he wheedled the Catholic body."

But there was another most important party to consider in this grave matter, namely the Catholics of Ireland including their clergy. The story of their reception of the veto, must have a chapter to itself.

[1] *Westminster Archives.* [2] *Ibid.* [3] *Ibid.*

CHAPTER V.

RECEPTION OF THE VETO DEBATE IN IRELAND.

THE report of the debate in Parliament in which reference was made to the veto question threw the whole of Ireland into a state of ferment. The very use of such an expression as that the king should become virtually the head of their Church filled the clergy and people with indignation. To use Milner's words, "the leading Catholics of Ireland [were] jealous of their religious discipline, but also of the independency of their prelacy, as the only remaining monument, as they called it, of their national freedom".[1] The newspapers inveighed in unmeasured terms against the Irish bishops, and Milner as their agent, who as they considered had betrayed them. An anonymous writer in the *Dublin Evening Herald* even maintained that Milner had no right to speak or act for the Irish, because he was only elected agent of the bishops, and the bishops were not the people. The following is a copy of a large poster placarded about Dublin :—[2]

"To be sold to the highest bidder, an Antient Hierarchy, very little the worse for the wear, which has stood many storms, but cannot endure fair weather. Apply to Messrs. Troy, Moylan and Co., on the premises ; to Randall McDonnell, broker to the concern ; or to Dr. Milner, travelling agent."

The agitation was not confined to the laity. Many of the priests felt strongly on the question, and some of the bishops also. One of these latter, Dr. Coppinger of Cloyne, wrote to Milner blaming him in strong language for having ever entertained the project. He answered with his celebrated *Letter to a Parish Priest*, under date August 1, 1808, of which a limited number of copies were printed and sent by the author to the bishops of both countries. In this letter he speaks very strongly in the support of the veto, calling upon the bishops

[1] *Sup. Mem.*, p. 133. [2] *Douglass Diary.*

to stand firm and not "at the present critical juncture recede from their solemn resolution of 1799". He declares that these resolutions were passed by "the four Metropolitans and six of the most ancient Bishops, speaking in the name of the whole Episcopal body," and that they were considered as binding both by the Ministry and the Opposition, and by the consent of Propaganda implied in Cardinal Borgia's letter to him which has already been mentioned. He then gives his reasons for acceding to the proposal, quoting the example of other countries :—

"The exercise of ecclesiastical power being of so much consequence to the welfare of the State, there is perhaps no civilised Christian country in which the Government does not interfere in the appointment of the Prelates who are to exercise this power; and it is judged that there is no country in which this interference is so necessary as in Ireland. In Catholic countries the Prince nominates without any control, and the Pope gives jurisdiction as a matter of course. In almost every un-catholic country means are provided and care is taken both by those who have a right to present and by the Holy See herself, that no person obnoxious to the Sovereign shall be raised to the Prelacy within his dominions. The Sovereigns of Russia and of Prussia will be found to have exercised a power in this respect which far exceeds that which the Irish Prelates have offered to his Majesty; and accordingly these Sovereigns had each of them an accredited agent at Rome, chiefly for the exercise of this power. The King himself enjoys it, with the consent of Rome, in the province of Canada: the Bishop of Quebec not being allowed so much as to choose his Coadjutor until the latter has been approved by the civil Governor."

Milner then sketches his own plan for a veto, and now he for the first time limits its exercise to three times for each vacancy, and declares that this would be preferable to "that real and extensive though silent power which Government has hitherto exercised over us in the choice of our Prelates". He says the outcry against it comes from "the lower order of the Catholics, and (I am sorry to say, for I had a higher idea of their ability and learning) of some of the Clergy," and puts it down to their being misinformed. He continues :—

"Should the Prelacy recede from the resolutions they entered into at Dublin in 1799 (which resolutions are before the public as well as all the leading men of the Legislature, having been mentioned in the papers), I hope they will be able to vindicate their proceedings and character against the numerous and able opponents of each communion, who will not fail to attack them on the subject, and harass them for many years to come. I hope they will provide answers, and such answers as may be defended against men of talents, to the following questions, which will incessantly be put to them, as they have in part been already frequently put to me: the Head of the Church has allowed a direct interference and power in the appointment of Bishops throughout the greater part of the Christian Continent to a man who has apostatised to Mahometanism; and shall it be deemed unlawful for our Monarch to interfere in this business just so far as it is necessary to ascertain the loyalty of men who are to possess such great influence over his subjects? The schismatical Sovereign of Russia and the heretical King of Prussia have always been consulted in the choice of Catholic Prelates for the vacancies within their respective dominions; what then hinders the Sovereign of the United Kingdom from enjoying the same privilege? he actually possesses it now in his American dominions. Is that unlawful in Ireland which is lawful in Canada? But you have already declared after three days' solemn deliberation on the subject that such interference of Government in the appointment of Prelates as may enable it to be satisfied of the loyalty of the person to be appointed is just and ought to be agreed to; and that therefore the candidate elected is to be presented to Government, and that if Government has any proper objection against him, the President will convene the electors and proceed to the election of another candidate. Such were your decisions delivered to Government nine years ago, and which have remained with it ever since, to be acted upon whenever circumstances should permit. Do you break faith with it? or has that become false and unlawful now which was true and lawful then? In a word will you reject those resolutions (for the purpose of quieting the alarms of the nation, and promoting the Emancipation),

which you heretofore voluntarily made in order to obtain a provision for yourselves?"

He concludes by offering to resign his agency and let them appoint another in his place:—

"You will easily find agents of greater experience, talents and suppleness than myself, but you will not find one more rigidly orthodox, more jealous of the rights of the Church and the Prelacy, more disinterested, more docile to the instructions of his constituents or more zealously devoted to the welfare of the Irish Catholics than is, Sir,

"Your humble servant,

"J. MILNER."

In later years, when Milner had become opposed to the veto, he declared that he had never meant his *Letter to a Parish Priest* to be taken seriously. Commenting on Charles Butler's allusion to it in the first edition of the *Historical Memoirs*, he writes as follows:—[1]

"Mr. Butler has been frequently assured that the letter was not written as a serious advocation of any kind of Veto, but merely as a *mooting essay*, to use a lawyer's term, for the perusal of his friend, a Catholic prelate in Ireland, who had written too sharply and indignantly to him on the subject."

We hardly know how to take this declaration. It is difficult to believe that Milner would defend a doctrine if he considered it injurious to religion, from the mere love of dialectics, and anxiety to secure a controversial advantage. If once this was conceded, we should be forced to doubt the sincerity of all his argumentative writings until it could be shown independently that he held the doctrines he defended. For there is nothing whatever in the *Letter to a Parish Priest* to indicate any want of seriousness in its contents. Butler, in the second edition of his work, observes with justice[2] that "whatever might have been the intention of Dr. Milner that his *Letter to a Parish Priest* should have had the nature of a mooting essay, it certainly does not contain a single expression or a single intimation to this effect: there is nothing of the mooting kind," he continues, "in its tone, its style, its general import, or its particular phraseology. It has all the vehemence of argument,

[1] *Sup. Mem.*, p. 130. [2] IV., p. 160.

all the fervour of oratory, all the lofty indignation that announces conviction and an earnest wish to convince. *Fervet, immensusque ruit*—Hor. His *Letters to a Prebendary* do not sound either the conviction of the writer, or the wish to convince in a higher key."

Fortunately it is not necessary to discuss the matter further, for there are many other letters of Milner's, both printed and in manuscript, by means of which we can inform ourselves beyond any possibility of doubt that, whether mooting or not, it represented his frame of mind on the veto question at that time. Some of these letters we shall come across presently.

When Milner learnt of the ferment in Ireland, with that courage and straightforwardness ever characteristic of him, he determined to visit the country once more, and argue the question on the spot. His friend, Dr. Moylan, had given him an invitation to the solemn opening of the new Pro-Cathedral at Cork, which was to take place on August 22. Several of the Irish hierarchy were expected to assist at the ceremony, so that it would be a good opportunity for discussion. He accordingly determined to accept the invitation. Mr. Thomas Weld, Junior, the future Cardinal, agreed to accompany him. Milner was detained in England over the festival of the Assumption (August 15) which day he had fixed for the inauguration of the new *régime* at Oscott, to which we shall allude in a subsequent chapter: on the evening of that day he set out for Ireland.

There was not too much time to get to Cork before the opening. Milner travelled all night, reaching Bristol the following day, where Mr. Weld joined him. The subsequent stages of the journey can be given in his own words:—[1]

"We were first detained a considerable time by the wind and tide, at the New Passage on the banks of the Severn. At different stages in Wales we were delayed by the want of post horses and the badness of them. Embarking at Milford, we were baffled during two whole days and as many nights by calms and adverse gales, in our hopes of a speedy voyage to Ireland. Landing at Waterford we found still greater difficulty to procure horses at the different post towns in Ireland, than we had experienced in Wales; till arriving late at Clogheen,

[1] *Letters from Ireland*, p. 321.

the postmaster there declared that if we chose to risk our persons, he would not risk his horses and drivers among the Kilworth mountains, infested as they were with robbers, in the dark and without a guard. Perceiving no remedy for the grievance, we were obliged to pass the night at that miserable place; and we set off the next morning for Fermoy in the style of an Eastern caravan, being four chaises in company with an escort of dragoons. In spite of all these impediments, we arrived at Cork just in time to witness the splendid and awful ceremony which in the opinion of my fellow-traveller abundantly repaid him for all the pains he had taken to be present at it."

St. Mary's Cathedral at Cork is a good-sized building on a commanding site. It is in the Gothic style, which was very unusual in churches built at that period; and includes a nave, transepts, and side aisles, each of these last having an altar at the end. The customary style of the churches of the day asserted itself in the erection of side galleries over the aisles; these have long since been removed, and some of the adjuncts, as the high altar and pulpit, are new since then; but in general outline, the interior of the church is much the same to-day as it was when it was opened. The ceremony was for those days, and for a people only just emerging from a state of penal laws, one of unprecedented grandeur. The archbishops of Cashel and Dublin—Dr. Bray and Dr. Troy—assisted, and three other Irish bishops besides Dr. Moylan, who pontificated. Milner was on the sanctuary with his episcopal brethren. Many priests from far and near assisted, and there was a "full band of musicians and singers". Needless to add, the church was crowded with people, and the day was looked upon as a notable one in the resuscitation of public Catholic worship in Ireland after penal times.

During the next few days Milner found ample opportunity of discussing the political situation with the Irish bishops. Three days after the solemn opening of the Cathedral, a banquet was given to celebrate the occasion, at which ten bishops were present,[1] and almost every evening for more than a week there was a public dinner of some kind. "You will

[1] The Archbishops of Dublin and Cashel; the Bishops of Cork, Kildare, Cloyne, Limerick, Killala, and Waterford; the Coadjutor Bishop of Ferns; and Milner himself.

see by this," he wrote[1] to Sir John Coxe Hippisley, "how the Catholic Bishops are taken up at Cork. At all this they are good, with spiritual and corporal refections; but really they are not first-rate politicians, and I can hardly prevail upon them to look beyond the present day."

In describing the state of the country as he found it on his arrival, he writes:—[2]

"It is a fact that all the newspapers, particularly the *Dublin Evening Herald*, and also the *Irish Magazine*, are full of abuse against Lord Fingall and his friends Dr. Troy, Dr. Moylan and myself, as having pledged ourselves and the body to acknowledge the royal Ecclesiastic supremacy by giving the nomination of Prelates to the Crown. Not only the many-headed mob have taken the alarm, but also most of the inferior clergy, and a great portion of the Bishops; in short they are to meet about it on the 14th September."

Milner resolved to go to Dublin and to be at hand during the meeting. Before doing so, he made a short tour of the lake district of Killarney, where he stayed with Lord Kenmare; and from there he visited the Atlantic coast and the neighbourhood of Valencia and Cahirciveen, now known as the country of the O'Connells. His impressions of the people of these parts can be given in his own words:—[3]

"Notwithstanding the expected pleasure which I experienced in the scenery of Killarney," he writes, "still my principal object in visiting it was to see the inhabitants of that country rather than the country itself. I wished to transport myself, as far Westward from Cork as I could, and to converse with a people almost entirely Catholic in the higher as well as the lower ranks of life. Such I understood was the county of Kerry, the chief town in which is Killarney. I had been assured by persons who had read my former letters to you that in this remote country I should find the Catholic clergy quite uneducated, and the inhabitants in general mere barbarians. Instead of this, I nowhere found the clergy and students better grounded in literature (for I visited them in company with their learned and amiable prelate at their College in the town, and by his desire interrogated them on the subject of

[1] *Hippisley Pamphlet*, p. 5. [2] *Ibid.*
[3] *Letters from Ireland*, p. 331.

their studies), or the gentry more polished, or the common people more civilised. Indeed the most effectual way to experience rudeness from a Kerryman is to impute it to him, as, from the purity of the mountain air which he breathes, and of the Milesian blood which runs through his veins, he supposes himself to be superior to the rest of his countrymen in the qualifications both of the mind and of the body."

After a few days in Kerry, Milner returned to Cork, where Mr. Weld rejoined him, and together they set out for Limerick and Dublin, arriving at the capital just before the bishops' meeting which was fixed for September 14.

Daniel O'Connell, in one of his speeches, describes[1] Milner's visit to Ireland as a "Vetoistical Mission"; and adds that the Irish people "rejected the mission and the missionary". This is rough language, but was not far from the truth. Milner himself says that the newspapers poured forth "torrents of abuse" against him.[2] He answered more than once. In a long letter addressed to the *Dublin Evening Herald*, dated Cork, September 8, 1808, he complained that the writers of letters against him "give implicit faith to the accounts of the negligent, drowsy, tippling and ignorant reporters concerning the debates which they have seen in the newspapers," and that they "make no allowance whatever for the unguarded and unwarranted expressions and arguments of the orators themselves". He states that those who spoke in Parliament on their behalf had gone farther than they had any warrant for, and then repeats in somewhat guarded language his own proposition for a limited veto, and his hopes for the Irish nation :—

"I wish most earnestly for the emancipation of the Catholics of Ireland: and this not so much to please a few noblemen and gentlemen in Parliament, as to make the poor peasant's cabin his castle, so that he may no longer be liable to have it burnt down in his midnight slumbers, or be otherwise exposed to illegal violence or cruel oppression. When this is effected I shall confidently expect to see the Irish Cabin smile with all the comforts of the English cottage; but to effect it, the wall of legal separation between the different religions must be destroyed to its foundation. To obtain this I would

[1] *Speeches*, ii., p. 20. [2] Letter in *Morning Chronicle*, November 19, 1808.

not indeed sacrifice one atom of the tenets or essential discipline of the Catholic Church. I would not even expose these to the remotest danger, or do anything which should not obtain the entire approbation of the Apostolic See; but I would do that which is perfectly lawful, perfectly safe, that which the Apostolic See has agreed to in other countries of a different communion, and what I have reason to believe she would agree to in our own. To be brief,—I should have no objection if I were a Prelate of the Catholic Church of Ireland, after I had in conjunction with my brethren agreed who were the three clergymen most proper to be recommended to the Pope for episcopal powers in the usual way, to ask Government whether they knew anything against the loyalty of the first person on the list. For I never would allow it the *positive* right of choosing even one among the three who had been previously approved of by myself and my brethren. If Government answered in the affirmative, it would be incumbent upon them to substantiate their charge, the consequence of which would be, I may safely say in every case, that the candidate's character would be cleared of the unjust imputation, or rather that no objection would be made against him at all. If anyone, however, is willing to suppose that Government would be so unjust to itself as well as to the Catholics as to object in succession to all the three candidates, here I conceive its negative power must end."

It would appear that Milner still believed that most of the Irish bishops were ready to accept his views; but when they came together, it was evident that the majority were on the other side. They showed every consideration to him, and passed a unanimous vote that "Dr. Milner's account of his conduct as their agent is satisfactory"; but they did not admit him to the meeting,[1] and, according to Bishop Ryan,[2] they only agreed to the vote of thanks on Drs. Troy and Moylan giving an undertaking that Milner "would not in future either write or speak in public in favour of the veto". On the main question, after two whole days' discussion, they agreed to the following two resolutions:—

[1] *Douglass Diary.*

[2] Coadjutor to Dr. Caulfield, Bishop of Ferns. See his letter which is given in full in Appendix B.

"1. That it is the decided opinion of the Roman Catholic Prelates of Ireland here assembled, that it is inexpedient to introduce any alteration in the Canonical mode hitherto observed in the nomination of the Roman Catholic Bishops, which mode by long experience has proved to be unexceptionable, wise and salutary.

"2. That the Roman Catholic Prelates pledge themselves to adhere to the rule by which they have been hitherto uniformly guided: namely to recommend to his Holiness only such persons as candidates for vacant Bishoprics as are of unimpeachable loyalty and peaceable conduct."

These resolutions were signed by all the bishops. There were three dissentients, who wished to qualify the term "inexpedient" by the words "at present"; but the more drastic form was carried against them. The fact that the former resolutions were so completely abandoned shows that the feeling against the veto on the part of the "outside" bishops, as they may perhaps be termed, was exceedingly strong. The most extreme among them was probably Dr. Coppinger of Cloyne, who had already written his strong protest to Milner, as we have seen. In a letter to Dr. Bray, written a few weeks later, he gives his views in full, and they may perhaps be taken as typical of those of the opposing bishops generally. He frankly assumes that if any right of veto were conceded to the Government they would use it simply in order to endeavour to undermine and weaken the Catholic cause. He writes as follows:—[1]

"The more I have reflected on this matter, the more settled is my conviction that even the negative interference would destroy our religion here. The king certainly neither knows nor cares anything about the fitness or unfitness of our priests for the Prelacy. Governors of counties, Duigenans, Eagers, etc. would be exclusively active for the representatives of their choice. The very qualities which Catholic electors would look to—zeal, piety, learning, rigid virtue and exemplary conduct—would be sufficient ground of rejection with these men, for this obvious reason, that bad bishops would be more efficient in the projected ruin. Again, if, as in Dr. Milner's plan, they should be limited to his 'reasonable number,' *viz.*, three or four rejections, the bare power of laying aside four of the most

[1] *Dublin Archives.*

worthy and best qualified men in every diocese in this kingdom is a tremendous concession. How many sees in Ireland which have not even two men fit for the Prelacy? Unfit men will, of course, be appointed, and what deplorable injuries must then result to religion in the lapse of time. With regard to limiting the executive to the single point of loyalty, were it practicable, these subtle malignants will contrive to make every one of the above episcopal qualities to clash with their notions of loyalty, and continue objecting till they get their immoral blockhead, their drunken infidel, their cringing, tale-bearing sycophant consecrated."

Milner admits that these resolutions of the bishops came as a surprise to him. "I must observe, in justice to myself," he wrote, "that the most distinguished among them for the station which they hold have avowed to me, and I am sure are prepared to avow again, that I had reason to expect that they would sanction the limited veto." He proceeds to give, what he says he has been told by one of the bishops to have been the reasons which weighed with them. The chief was that the Government would in all probability not be content with the veto, but would use any concession as a lever to ask for more, and for things which a Catholic could not concede. They had made fair promises at the time of the Union: the Catholics had fulfilled their part; but the promises of the Government remained unfulfilled. Perhaps even more important was, he said, the apprehension that in view of the excitement of the people the bishops would lose all influence over them if they consented to the veto. Milner continues: "If [this explanation] is not received in full excuse, I think it will be accepted of in extenuation of the decision by those persons of candour who expected as I myself most certainly did, one of a different tenor".[1] By way of partial explanation, he wrote to Sir John Coxe Hippisley:[2] "You will suppose that several of the Prelates wished for very different resolutions; they were obliged, however, to yield to the majority. It is impossible to conceive the violence of the democratic party. I am abused in the public prints as the traitor of my religion, and threats are published that I shall be burnt in effigy. On the other

[1] See Milner's letter in *Morning Chronicle* (Appendix B).

[2] *Hippisley Pamphlet*, p. 5. The letter is dated September 17, 1808.

hand the nobility and gentry are assembling and threaten the Prelacy." And in a later letter he adds: "Our friends complain that the old and experienced bishops let themselves be bullied by the young ones; and they mention one in particular, a coadjutor,[1] who harangued the assembly for three hours together against the concession".

The general effect of the resolution of the bishops is thus summarised by Bishop Douglass in his diary:—

"The concession of the negative in question being done away by this resolve of the Catholic bishops in Ireland, it is astonishing to read the effusion of the different parties on the subject in the newspapers. In Ireland Bishop Milner is called a traitor, an Iscariot, an agent of Perceval (the "No Popery" Minister), and Archbishop Troy of Dublin and Bishop Moylan of Cork, favourers of Bishop Milner, and advocates for granting the negative in question, are also vilified. In the English newspapers the Catholic prelates of Ireland are held up as a set of ungrateful men on account of this *resolve;* they are charged with ingratitude to their friends in Parliament, to the Duke of Norfolk, Lord Grenville, Mr. Grattan, and Ponsonby, who had been authorised (newspapers say) by Dr. Milner, agent for the Bishops in Ireland, to declare in their places that this negative would be granted to the King. Other writers in the English newspapers vindicate the character of the Irish Catholic bishops, and insinuate that Bishop Milner offered the negative unauthorised by the Irish Catholic bishops to do so."

The sequel, as far as Milner himself was concerned, was described by him in a few words:[2] "They revenged themselves on me," he wrote, "though only a subordinate minister in the business, by torrents of abuse which they continued to pour out against me in the *Dublin Evening Herald* during the months of August and September last, and at length by impeaching me in their Parliament of Pimlico as a 'hired emissary of the Minister,' and by sentencing me to be hanged and burnt in effigy."

A few specimens may be given of the language used in these denunciations. Milner's action was characterised in one letter as "a blasphemous attempt against the existence of the

[1] Bishop Ryan, Coadjutor of Ferns.
[2] Letter in *Morning Chronicle* (Appendix B).

Hierarchy"; in another as "sacrificing the principles, tenets and discipline of the Catholic Church". He was accused of being willing "to barter away the inalienable spiritual rights of the Church for his own temporal advantage," and being "an agent sent to Ireland by Mr. Perceval to accomplish the work in which Lord Redesdale failed, that of subverting the Popish superstition and of grinding down the faith and morals of Catholic Ireland more than all the efforts of Luther and Calvin". The resolution under which he was condemned by the "Parliament of Pimlico" was couched in the following terms:—

"Dr. Milner not having the fear of God before his eyes, but being moved by the instigation of the devil, under the form of thirty pieces of silver, has conspired to adopt certain resolutions subversive of the faith he has sworn to protect".

After a violent debate, sentence was pompously pronounced, and carried out in a large open space in Dublin, in the presence of a numerous and angry crowd.

Milner returned to England at the end of the month, without having achieved the object of his journey. He wrote on October 3, from Wolverhampton,[1] "I am at length returned without any other advantage than that of becoming better acquainted with Ireland, both on the fair and the foul side, than I was before". And the next day he added, "I lament the imprudence of my brethren in Ireland. I forewarned them again and again of the consequences of belying their Resolves of 1799, by different Memorials which I put into their hands on the subject. My earnest wish was that if they did not concede the Veto, they should move the previous question, or at all events conceal their decision. Still I hope the mischief is not so great as it appears to be: —— is not out of heart. The Prelates have sufficiently signified that they will resume the question when there is a truly honest and friendly Minister, and before that period nothing can be done."

A month later, Dr. Troy wrote the following letter dated Dublin, November 11, in which he summed up the situation so far as the bishops were concerned, in definite language:—[2]

"The Resolutions of our Prelates assembled here last September respecting a Veto to the Crown has given rise to

[1] *Hippisley Pamphlet*, p. 5. [2] *Ibid.*, p. 7.

different constructions of it, notwithstanding the term 'inexpedient' used in the wording of it. As expediency or inexpediency must necessarily be the result of existing circumstances, and not the consequence of fixed or unalterable principles, it appears strange to me that the Resolutions should be so generally conceived to reject the veto as inadmissible, and to preclude any future discussion about it. Neither I nor many other Prelates adopted it in this sense, nor does grammar sanction it. The fact is that as we are not called upon by Ministers to consider the measure, we thought it inexpedient to allow any alteration in our discipline under the present Ministry of the State, avowedly hostile to Catholic claims, and who would not acquiesce in them if we renounced even articles of faith, whilst we retain that of the Pope's supremacy.

"The popular feeling here is, I must own, decidedly against the admissibility of a Veto in the Crown, which our nobility and landed gentry are desirous to grant. The Bishops, supposed friendly to it, are libelled in the public prints, and those who signed Resolutions in favour of it in 1799 are charged with inconsistency by adopting the late Resolutions. Very unjustly indeed, as the circumstances of the two periods are widely different. In the former we were called upon, pending the Union Question, by an Administration supposed friendly, and holding out the prospect, if not an implied promise, to consider the measure as the condition of Emancipation. At present our hopes have not only been blasted, but a No-Popery Administration declares in both Houses of Parliament that we are to expect nothing more."

Four months after the date of this letter, Milner took leave (as he then supposed) of the whole question: "I lament, that the Catholic Bishops should not have supported their dignity better than they have done," he wrote; adding:[1] "I have taken my leave of the Irish Catholics in a pamphlet which I printed in Ireland called *Dr. Milner's Appeal to the Catholics of Ireland*". In this he recites the whole story of the treatment he had received ever since the unfortunate speech of Mr. Ponsonby, and protests against the many slanders uttered against him. He exhorts the people to be guided in all things by their Bishops, and asserts his own sincere submission to their decision that

[1] *Hippisley Pamphlet*, p. 5.

the veto is in existing circumstances inexpedient, though he avers once more that in itself, if duly limited, it is reasonable and free from objection.

In writing to the English bishops, Milner continued to express his hope for the eventual agreement, sooner or later, to some form of veto. He explains his position in a letter to Bishop Collingridge dated November 27, 1808:[1] "I have been . . . anxious," he writes, "about the misrepresentation of my conduct and doctrine in regard to the Veto. Two opposite parties concur in misrepresenting me. I hope your Lordship has seen the long vindication of myself which I inserted in the *Morning Chronicle* of Saturday the 13th instant, and which has been copied into the *Globe* and other papers. I recollect that Bishop Sharrock, two or three years ago, wrote to me that he apprehended the nomination of our Prelacies must be yielded to the Crown. I never assented to the proposition; but to refuse its protection and favours by refusing it the power of objecting to one, two or three candidates would in my opinion be folly. The common people in Ireland are *mad* upon the subject. They consider the matter in a political view and are determined to have a something, be it what it may, which has no connection with the hated English. The Bishops have been forced to yield to their prejudices. Our Parliamentary friends here are almost as mad as they are, and have threatened to give me up, unless I consent to give the Bishops up. This I have refused to do, as I refused to sacrifice the Bishops to the democrats of Ireland who would gladly have spared me if I would have sacrificed them."

The letter in the *Morning Chronicle* to which Milner alludes is the same from which we have already quoted some extracts. The main object of the letter is to explain the ordinary method of election of bishops in force in Ireland, and to show how this could be combined with what he calls a "limited veto," though in his scheme he by no means limits the exercise of it to three times as he did in his former letter; for he expressly says that if all of the three names first chosen are vetoed, the bishops would choose three more. He only stipulates that there must be *some* limit, to prevent the power becoming one of positive choice.[2]

[1] *Clifton Archives* (Supplementary Volume).

[2] The letter will be found printed in full in Appendix B.

CHAPTER VI.

THE BLANCHARDIST SCHISM.

WHILE the incidents narrated in the last chapter were in progress in Ireland, events were also taking place in London which had an important bearing on the state of Catholicity in England, for it was at that date that the unfortunate schism among the French clergy resident in England came to a head.

It can never be sufficiently deplored that the great body of French clergy who had so nobly survived the religious persecution during the Revolution in their own country, and had been in every sense glorious Confessors of the Faith, should have had their reputation tarnished by a certain number of them—even though that number be small compared with the whole body—lapsing into schism. Bishops Douglass and Poynter used their utmost endeavours to save them from falling, and to reclaim them when fallen; and the patience and charity which they showed in their regard even laid them open to the charge of weakness; but notwithstanding all their efforts, a certain number both of clergy and laity—in the end even a considerable number—separated themselves from Catholic unity, and used language with respect to the Holy Father which sounds scandalous to Catholic ears. Some account of the origin and progress of this movement is called for, in order to enable us to understand the lengths to which its adherents were led.

We must begin with the events which succeeded the signing of the Concordat between Pius VII. and Napoleon in 1801. There were at that time nineteen French bishops living in exile in England, and several thousand priests. In the month of August the Holy Father called upon all the bishops of France to resign their sees, so as to form a new episcopate, in accordance with the provisions of the Concordat. This was an act

of sovereign jurisdication such as had never before been known in the history of the Church, and we cannot wonder that it came on the exiled bishops as something more than a surprise. Nevertheless, the majority obeyed the summons. We can give the exact numbers. The ancient French Hierarchy consisted of eighteen archbishops and 113 suffragans. Three of them—the Bishops of Orleans, Viviers, and Autun—took the Constitutional Oath in 1790, and became the nucleus of the "Constitutional" or schismatical hierarchy then established. During the years which intervened before the signing of the Concordat, forty-seven had died (including those who had perished during the reign of Terror) and one had resigned. This leaves eighty who received the request from the Pope to resign. Of these forty-two eventually consented to do so, while thirty-seven persisted in their refusal, one (the Bishop of Toul) being unaccounted for.[1]

Among the French bishops in England, however, the proportion was very different, only five out of nineteen sending in their resignation.[2] The reason commonly assigned for this difference was the influence of the French Royal Family, many of whom were resident in England. There were thus fourteen recalcitrant bishops.[3] One of these, Mgr. Dillon, of Narbonne, was an archbishop, and therefore, from his position, nominally their head—at least he was always officially treated as such by Rome. Practically, however, he was far from being the most influential among them. He was one of the last of a type of courtier ecclesiastic which passed away with the *ancien régime* in France. Closely connected as he was with a noble Irish family, his promotion had from the first been rapid. At the age of thirty-two he was already a bishop; five years later he was Archbishop of Evreux; and in 1762, when he was forty-one years old, he was promoted to be Archbishop of Narbonne and Primate of Gaul. He was a man of the world, fond of society, a bright and witty conversationalist, and

[1] See the pamphlet published in 1802 by the French bishops then in London.

[2] These figures include Mgr. de la Tour, Bishop-elect of Moulins, who had received his brief, but had not yet been consecrated when the revolution broke out.

[3] The following is the list: The Archbishop of Narbonne, the Bishops of Arras, Montpellier, Noyon, Perigueux, St. Pol de Léon, Avranches, Vannes, Uzès, Rhodez, Nantes, Angoulême and Lombez; and the Bishop-elect of Moulins.

Archbishop Dillon

in his younger days a keen sportsman. It was essential to his political principles to be a staunch Catholic, and he went into exile rather than take the Civic Oath; but his ecclesiastical tastes were slight; during his exile he rarely said Mass, and even when hearing Mass on Sundays he was not too devout in his behaviour. The English Catholics had not been brought across that type of ecclesiastic before, and they spoke of him as "the poor Archbishop". Naturally he was not the real leader of the French emigrant clergy. The Bishop of St. Pol de Léon—a most holy and even saintly man—had always acted in that capacity and he continued to do so till his death, Dr. Douglass dispensing the various faculties required by the French clergy through him. Later on several others of the recalcitrant bishops took up their residence in London, which became a centre for the "non-demissionaires," as they were called.

The Pope's Brief calling upon the bishops to resign was dated from St. Mary Major on August 15, 1801. It was delivered to the Archbishop of Narbonne by Mgr. Erskine, then resident in London, on September 15. The reply of the recusants was sent on September 26. On November 11 the Pope wrote to Mgr. Dillon, personally expressing his grief at their unexpected refusal, and begging them to reconsider their decision, so as to save him from the necessity of taking extreme measures. This letter for some reason did not reach London till the following January. In the meantime the bishops had drawn out and printed a long memorial stating their reasons in full, running to some 160 pages, which they all signed; and in reply to the Pope's letter to Mgr. Dillon, they wrote a joint letter with a final refusal. Both their letter and their memorial are written in the most respectful terms, and full of expressions of love and loyalty to the person of the Vicar of Christ; their refusal centres round the one principle that they were bishops not for themselves, but for those to whom they administered the Word of God and the Sacraments. The episcopate being of Divine origin, they argued that they could not resign without a canonical reason, and that such reason could not be blind obedience; while according to their own judgment the proposed resignation would not in the long run help on the cause of religion.

The Pope, therefore, took the matter into his own hands, and by re-dividing France, brought a complete set of new dioceses into being, so that the ancient dioceses lapsed, and the bishops lost all jurisdiction. Many of the old names were retained; but the number was diminished by more than a half, the names of two ancient sees being often joined to make a new see. There was in fact to be one bishop in each of the newly formed departments, and he was to be nominated by Napoleon. In the event he nominated sixteen of the former orthodox bishops, twelve of the constitutional (schismatical) bishops; and thirty-two priests, all chosen from those who had refused the Civic Oath.[1]

The "constitutional" priests—variously estimated between 2,000 and 10,000 in number—were for the most part married. Their marriage was, of course, in the eyes of the Church invalid. They were, however, given permission to validate their marriages—that is, by Papal dispensation—on condition they ceased all priestly ministry: and the same permission was given to those who had ceased to live as priests at all.

From the above it appears that the central doctrine on which the recusant bishops took their stand concerned their view of the stability of the episcopate. This was spoken of among them as the doctrine of the Gallican Church. They considered that the new bishops could only exercise jurisdiction in virtue of their own tacit consent, which they readily gave; for although they refused to accede to the Pope's wishes, they remained in communion with the Holy See. The same may be said of the French bishops exiled in other countries.

The Catholic laymen who refused to accept the Concordat were distributed in groups of some thousands in different parts of France; around Rouen they were known as "Clementines," after Abbé Clement; near Coutances as "Basmerites"; around Tours as "Filochois"; and in various other localities they were spoken of as "Louisets," on account of their attachment to Louis XVIII. Collectively they were spoken of as forming the "Petite Eglise".

In England, for some years at least, there were not many priests who openly rejected the Concordat. But in this matter

[1] These details are taken from Vacant et Mangenot, *Dictionnaire de Theologie*, *Art.* "Concordat," c. 758 *seq.*

the position of a simple priest was different from that of a bishop, inasmuch as he was not called upon to perform any outward act which would be a test of his opinions. Most of the French clergy returned to their country in 1801 and 1802. Several hundreds remained, but most of these were wholly loyal to the Pope, only considering that the Concordat was a tactical mistake, and that the settlement was not likely to prove permanent. They remained in England, hoping for a restoration of the royal family, which in the event took place. Abbé Carron of Somerstown was one of these. His orthodoxy was beyond suspicion, and he led the life of a saint. He was one of those nominated for the vacant bishoprics after the signing of the Concordat; but he preferred to remain as a working priest in London to wait the hoped-for restoration of his own country. Others such as Abbé Morel at Hampstead, or Abbé Voyaux de Franous at Chelsea, remained in England permanently, and worked on behalf of English as well as French Catholics. These two classes accounted for the great majority of the French clergy still in England. But there remained a small minority who while waiting for the restoration, in the meantime went very far in speaking against the Concordat, and even looked upon those who adhered to it—including the Pope himself—as schismatical; and they had a considerable following among the French laity in London.

The leader of the movement was Abbé Blanchard, formerly curé of St. Hyppolite, in the diocese of Lisieux in Normandy, and its adherents were consequently known as the "Blanchardists". He was a man of considerable literary ability and wrote several pamphlets which appeared in London during the years immediately following the signing of the Concordat, most of which were published in English as well as in French. His heretical opinions show steady progress as time went on. In an anonymous pamphlet entitled *Première Suite de la Controverse Pacifique*, printed in 1805, of which he afterwards acknowledged himself the author, he called Pius VII. a "material heretic," adding that the bishops of the Catholic world were alone able to pronounce whether he had enough knowledge to become a "formal heretic". In *L'Etat Politique et Religieuse de la France*, issued in 1806, he speaks of the Pope having betrayed the faith by uniting himself with

notorious heretics; and he rejoices that those whom he calls the faithful priests in France have separated themselves off into a "Petite Eglise". In a further pamphlet two years later, he calls upon his readers to condemn the Concordat and to denounce Pope Pius VII. to the Catholic Church.

It was only by degrees that Abbé Blanchard began to secure a following for such extreme views; but an anti-papal feeling of varying degree was very general among both clergy and laity. There was no rigid dividing line to separate off those who overstepped the bounds of orthodoxy, and many undoubtedly habitually gave vent to sentiments which we should describe as scandalous.

Dr. Douglass was alive to the evil, but felt considerable difficulty as to how to act. The French bishops were exceedingly sensitive about an English vicar apostolic even forming a judgment upon the delicate matters in dispute between them and the Pope, considering that being bishops in ordinary they were in a higher position than he was, and they were ready to resent the slightest interference on his part. He considered that the most prudent course was to take them into his confidence, and to act as far as possible through them, so as to avoid any open resistance on their part to his authority, which would have greatly complicated the situation. The death of the Bishop of St. Pol de Léon in November, 1805, was a misfortune, for the French lost the strongest man in their body, who had practically ruled them since their first coming, and whose orthodoxy had never been impugned. To the end of his life he protested that he had no sympathy with the views of Abbé Blanchard. A few months later the aged Archbishop of Narbonne died, at the age of eighty-six. Notwithstanding the worldliness of his life, he made a good end, receiving all the sacraments with evident devotion. The new superior of the French exiled clergy was the Bishop of Uzès, a small town in the south of France, near Tarascon. He was a prelate of ability, but without the coolness of judgment or self-restraint of his predecessor. Indeed, he continued to write pastorals to the members of his former diocese, in which he claimed to be still their bishop, and he afterwards published them for the benefit of readers in England. When Dr. Douglass called upon him and his colleagues to help in suppressing the schis-

matical tendency among their clergy, they responded in a half-hearted way, and the evil appeared to be growing. The arrival of King Louis XVIII.—who was allowed to land in November, 1807, under the title of the Count de Lisle—gave additional strength to the movement, and though the bishops made professions of orthodoxy, their sympathies seemed almost to lean to the other side. One of the most vigorous defenders of the Concordat was one Abbé Robert, who wrote a pamphlet which he entitled *Dialogue entre Pierre et Thomas sur la puissance exercée par Pie VII.* For this he was reprimanded by the bishops, as we learn from the *Douglass Diary*:—

"October 1808. Monsieur Robert, author of the *Dialogue Peter and Thomas*, has been cited to appear before the French bishops, did appear, and was reproached by them for having written and published that pamphlet, which they consider as published against themselves."

When evil of this kind is in progress, it is always difficult for a bishop to decide how soon the mischief has reached a pitch to call for repressive measures. It will not surprise the reader that Milner thought comparatively early that such measures were called for, while Dr. Douglass still hoped that the movement would die out of itself, without his having recourse to censures. At length Milner wrote to him, and not receiving an answer to his satisfaction, determined to denounce the French clergy himself. An opportunity offered in the summer of 1808, when Rome was occupied by the French and the liberty of the Holy Father was threatened. At that time the nuncio to the Court of Lisbon, Mgr. Galeppi, had taken refuge in England, waiting for an opportunity to take ship for South America. Milner being in London in connection with the Parliamentary business which we have already considered, took counsel of him. As a result, on his return to Wolverhampton, he issued a pastoral dated June 1, to ask prayers for the Holy Father, and took the opportunity to add a solemn invective against the French Clergy in the following terms:—

"I have long lamented that the conduct and character of our Holy Father has been grossly misrepresented in this kingdom, not only by persons of other communions, but also by many professing themselves to be of our own, and that the

most scandalous and schismatical doctrines in his regard have been openly, repeatedly and pertinaciously proclaimed from the chairs of truth, and published from the presses of the metropolis, by preachers and theologians calling themselves Catholics, but who cannot be such without being children of the common father of the faithful".

This accusation caused considerable sensation. The English clergy resented Milner's interference in another's district, and called upon him at least explicitly to restrict his allegation to the French clergy. From the French themselves it brought forth two answers, which figured long in subsequent controversies. These were the "Defense du Clergé Français contre l'inculpation de Mgr. Milner," by Abbé Blanchard, and the "Lettre à Mgr. Milner," by Abbé Gaschet, formerly curé of Vignoles, in the diocese of Saintes. Both of them were scandalous publications, that of Abbé Gaschet being the worse. He openly protested against the defection of the Pope, and declared that Pius VII. was to him as a Jew, or a pagan, or a publican. He spoke of him as a "pretended Pope," who "blasphemed the holy name of God," and maintained definitely that the clergy of the Concordat had united themselves to the "Constitutional" priests, so that the new Church of France was schismatical. Blanchard was less violent, but hardly less unorthodox. He contended that Pius VII., in forming the Church of the Concordat, had in effect revoked the briefs of his predecessor, and adopted the principles of the Civil Constitution of the Clergy. He calls it a "phantom Church," built on the foundations which Pius VI. had condemned as impious, heretical and schismatical. He calls on the faithful to adhere to the principles of Pius VI., which were approved by the whole Church, and not to follow Pius VII. But he refrains from calling the latter a heretic: having asked the question whether he is so, he says that he leaves it to the French bishops to answer.[1]

Milner promptly wrote a further pastoral, dated August 10—five days before his departure for Ireland—in which he condemned both pamphlets as "false, scandalous, injurious to the lawful successor of St. Peter in the see of Rome, as insinuat-

[1] Extracts from the pamphlets of Blanchard and Gaschet will be found in Appendix A.

ing and tending to schism, and as being actually schismatical". Dr. Douglass, in whose district both priests lived, also published a condemnation; but he made a distinction between the two pamphlets. That of Abbé Blanchard he condemned as "scandalous, derogatory to the respect due to Pope Pius VII., the true and lawful successor of St. Peter, injurious to his character and authority, and leading to schism"; to the pamphlet of Abbé Gaschet he affixed the same censures, with the addition of "Formally Schismatical". To a lay mind there is perhaps not much evident difference between condemning a work as "schismatical" or as "leading to schism"; but to those familiar with ecclesiastical censures the difference appears considerable. Milner took great exception to the mildness of Dr. Douglass's censure, and in this he was followed by the Irish bishops, who in the following year also publicly condemned both pamphlets as schismatical.[1] Dr. Collingridge, on the other hand, adopted the censure of Dr. Douglass, "because he is his Bishop, and also because it seems more proper".

As the matter was afterwards warmly debated, it may be well to give in Dr. Poynter's own words his defence of the milder censure, for which he was in fact responsible. On the occasion of the Durham Meeting in 1811, in which the matter was discussed, he wrote the following statement:—

"In preparing the form of the censure, Dr. Poynter had at first pronounced the work of Blanchard to be schismatical; but on the observations and objections made by Dr. Eloy[2] it was only pronounced to have a schismatical *tendency*. That it was necessary to be extremely cautious in our proceeding against Blanchard not to involve ourselves in the cause between the French Bishops and the Pope, and not to go in point of censure beyond what we could strictly verify and justify; that in censuring that work it was necessary to distinguish between doctrinal propositions and false assertions of facts or the injurious, scandalous and false charges which Blanchard brings against the Pope; and that Dr. Douglass and Dr. Poynter had this in view in censuring the work of Blanchard."

[1] See p. 94.

[2] A learned doctor of Sorbonne, who taught theology to the Benedictine novices at Acton Burnell, and afterwards at Downside.

The matter, however, did not end here. Dr. Douglass in his pastoral announced that by a letter dated the 19th of the same month he had suspended both Blanchard and Gaschet. The former answered with a pamphlet which he entitled *Réponse à une lettre signée Jean Douglass, en date du 19 Août, 1808.* He prefixed to it a declaration of approval of his former work, signed by seven ecclesiastics, who from their position and antecedents would have been expected to carry weight. He even emphasised the meaning of it by heading it, "Approbation de l'ouvrage condamné par Mgr. Douglass".[1]

There was only one course open to Bishop Douglass now. In a letter, written in French, dated "St. Edmund's, September 23, 1808," he withdrew the faculties of the seven offenders, at the same time calling their attention to the regulations for confessors in the "Observanda," especially to that one by which any priest who administered a sacrament without due approbation of the vicar apostolic incurred excommunication *ipso facto* as a case reserved to the bishop. He ordered that the letter should be read publicly in all the churches, and

[1] As the wording of the Approbation entered prominently into the subsequent discussions, it will be well to give it in full in its original French:—

Approbation de l'ouvrage condamné par Mgr. Douglass.

Nous soussignés, apres avoir lu l'écrit intitulé, *Défense du Clergé*, etc., declarons que nous tenons la doctrine contenue dans cet écrit pour saine et orthodoxe en tout point, nommément en ce qui concerne les droits divins de l'épiscopat, et le devoir naturel qui lie les sujets à leur souverain; que nous la reconnoissons pour celle que les Evêques legitimes de France ont exprimée et dignement à la face de l'Eglise Universelle, soit dans leur Réclamations Canoniques, soit dans leur déclaration sur les droits du Roi.

Nous applaudissons de tout notre cœur au zèle avec lequel M. l'Abbé Blanchard, auteur du susdit écrit, marche constamment sur les traces de ces vénérables pasteurs; et nous le félicitons d'avoir été apres eux, dans les mains de la Divine Providence, un des instruments dont elle s'est servi plus efficacement pour défendre cette doctrine, et la venger des atteintes qui malheureusement y ont été donnés dans ces derniers temps.

P. N. St. Martin, Vicaire-Général de Monseigneur l'Evêque de Blois, et ancien Professeur Royal de théologie aux Ecoles de Sorbonne.
Exupere Louis Henri de Scelles de Séver, Vicaire-Général de Cahors, et maintenant de toute la Province Ecclesiastique de Normandie.
François Courte, Docteur en Théologie, Vicaire-Général de Monseigneur de Gonsans, Evêque du Mans, et Officiel du même Diocése.
J. de Trevaux, ci-devant Vicaire-Général de deux Diocèses en France.
Jean Irieux du Gravier, Prêtre.
Marc Guilleric, Recteur de Plœmeur, au diocése de Vannes.
L'Abbé Vinson.

that a copy of it should in each case be affixed to the notice board.

This action of Bishop Douglass caused quite a ferment among the French Catholics in London. Their national feelings asserted themselves, and they felt hurt that seven priests of Catholic France should be censured by a vicar apostolic in Protestant England. The French priests made difficulty about reading it. At the London Road Chapel, St. George's Fields, which was much frequented by the French, but where the clergy were all English, while it was being read, a large part of the congregation left the church. At the French chapel in King Street, Abbé Chêne, at the instance of the Bishop of Angoulême, refused to read it. The Bishop of Uzès, in his official capacity, communicated this fact to Bishop Douglass, explaining that the reasons were based on consideration for him as vicar apostolic, for his authority would suffer if such scenes were repeated. He promised, however, to use his influence to bring the people to a sense of their duty.

The Bishop of Angoulême himself had no sympathy with any part of Blanchard's teaching except on the two points which were emphasised in the Approbation of the seven priests. These were the relation of subjects to the king, and that which was known as the Gallican doctrine on the episcopate. He wrote expostulating with Blanchard on the lengths to which he had gone, taking his stand on the fact that he had ordained him priest and therefore felt a sense of his responsibility. He received, however, so uncompromising a reply, that he cut short the correspondence, with a short note in which he said definitely: "I condemn everything about you, Monsieur, except your attachment to the principles of the lawful Bishops of the Gallican Church, so long as you do not overstep the limits which they have thought well to lay down".[1]

Soon after this, Abbé Blanchard published another work, which ran to nearly 250 pages. It was entitled *Abus sans Exemple de l'autorité écclesiastique.* In this he denounces Milner to those whom he considers the only true French bishops, as well as to the Episcopate of Ireland, Spain, Portugal and the Catholic Church generally. He even claims that the

[1] The text of this correspondence is printed in Appendix A.

Irish bishops by their silence had shown their approval of him. On the main question he takes up the most extreme position. Using almost the same words as Abbé Gaschet, he declares that "Pius VII. had formed a phantom Church upon the very foundations condemned by Pius VI. as impious, heretical and schismatical," and only doubts whether he can be excused from formal heresy on the score of ignorance. He proclaims it his duty to denounce the Pope to the Church. He then repeats the statement which he had made before, that he does not consider himself affected by the censures of Bishop Milner or any other vicar apostolic, and boasts that he has full faculties, independently of them, to hear the confessions of the French, at least those from Normandy, having received them from the Bishop of Avranches, who had recently died. Indeed he contended that for the purpose of absolving his French penitents it was never necessary to ask for faculties from an English vicar apostolic. Some of his followers went to the yet more extreme lengths of considering that any Bishops in communion with Pius VII. thereby became schismatics; according to which the recusant French bishops would have become the sole possessors of lawful jurisdiction.

Milner answered by a "Sequel" to his pastoral, together with a postscript, and subsequently wrote another pastoral, which he called a "Supplement". In the last he describes the action of the Irish bishops, who on July 3, 1809, formally condemned Blanchard's works as "not alone schismatical, but dogmatising schism".[1] Seventeen bishops affixed their names to this condemnation, and the remaining prelates, who were not present at the meeting, all wrote expressing their adhesion.

In the meantime persistent efforts were made to induce Bishop Douglass to withdraw the suspension from the seven French priests who had signed the approbation of Blanchard's work. The Bishop of Angoulême especially took up the case of Abbé de Trevaux, who was his confessor, so that he was

[1] The following was the full text of the condemnation:—

"We declare the propositions respectively false, calumnious and scandalous, inasmuch as they regard the acts of Pius VII. in his restoration and settlement of the Churches of France, and manifestly tending to schism, most dangerous at this time to the peace and unity of the Catholic Church, exciting and inviting to schism, not alone schismatical, but dogmatising schism, usurping ecclesiastical jurisdiction, and subversive of Church authority."

practically inconvenienced by the withdrawal of the latter's faculties. We read in the diary of Bishop Douglass as follows:—

"1808. November 24. The Bishop of Angoulême has called upon me two different times and pressed me earnestly to admit Monsieur J. Trevaux (one of the seven French priests who had signed the approbation of the work condemned by me, *vide* 23 of September) without any public acknowledgment of his error in signing the approbation, etc., or any notice given to the public in order to do away with the scandal. I wrote to him (the Bishop) this day that I could not accede to his wishes."

Less than a fortnight later, three other French bishops waited on Dr. Douglass with the larger request that he would take off the censure from all the seven. We can again quote the *Douglass Diary*:—

"1808. December 7. On this day the Archbishop of Rheims,[1] Monseigneur Asselin, Bishop of Boulogne, and Bishop of Uzès called on me in Castle Street and pleaded earnestly for the re-admission of the seven French priests who have signed the approbation of Abbé Blanchard's work, to the exercise of faculties. The Bishop of Boulogne drew up a paper of terms on which they all prayed me to re-admit them (the seven priests), but I declined to yield, the terms not being sufficient in my mind. However before they parted I yielded to take them into consideration, in deference to their intercession. But I must require of the delinquents expressions of sorrow for what they did, a condemnation of what the work contains disrespectful to His Holiness, injurious to his character, derogatory to his authority, etc., in order to repair the scandal they had given. Bishop Poynter was present at this conversation."

The form to be signed which was proposed by the bishops will be found in the Appendix. It included a recognition of the spiritual power of Pius VII. as lawful Pope, and a statement that they had not seen the objectionable title of the Approbation signed by them. This might indeed have been sufficient to establish their own orthodoxy; but was not sufficient to

[1] Mgr. Talleyrand-Perigord, a cousin of the well-known Talleyrand, Bishop of Autun. He came to England in 1807.

repair the scandal. Moreover, though they were willing to sign it, they were not willing that their signatures should be made public, and proposed a form for publication simply stating that they had given satisfaction to Bishop Douglass. Thus they were not ready to withdraw themselves from the company of Blanchardists. Under these circumstances Dr. Douglass refused to accede to their request for reinstatement, and further reflection convinced him to remain firm in his refusal. In a subsequent interview at the lodgings of the Bishop of Boulogne in Titchfield Street, Dr. Douglass proposed a formula of his own, which will also be found in the Appendix: but it was not accepted.

A short time after this the Bishop of Blois arrived in London from Spain and took up his residence permanently in the metropolis. He was soon followed by the Bishops of Aire and Tarbes, both recusants, who came to England from Portugal. One of the seven French priests who had approved of Blanchard's book having been the vicar-general of the Bishop of Blois, the latter took up his case. We read in the *Douglass Diary* as follows:—

"1809. February 28. The Bishop of Blois, Alexander Amadeus Josephus de Lanzières Themines has arrived from Spain.

"March 11. On this day the Bishop of Blois, accompanied by the Bishop of Montpellier, called upon me, and speaking English made his compliments in the same language; but very soon returned to speaking French, and interceded for M. de St. Martin (his Vicar General), and praying me to admit him to a reconciliation; yet upon terms which I could not allow to be satisfactory. The Bishop showed himself too warm in his observations and reasonings, seemed to require from me an obsequious deference to his opinions, and let fall some things which appeared to me pert or petulant and threatening. The Bishop while in Spain was thrown into prison in a monastery for two years, for his petulance, etc., on Gallican principles."

It is clear from these extracts that the French bishops still felt aggrieved by the censure on the seven priests. In like manner Abbé Blanchard, though professing not to mind, and assuring Milner that it was not in his (Milner's) power to hurt

him, in reality felt the indignity of his suspension. This is shown by an incident which Milner records, without apparently fully perceiving its humorous side. With it we can conclude this chapter.

There was in London one Count Pfaff, formerly a Canon of Liège, but apparently at this time having no ecclesiastical position; indeed according to Dr. Douglass, he was a professed infidel. He suddenly claimed, however, to have been appointed "General Censor of heresy, throughout the world". He drew out a document in pompous form, beginning with his own titles which are worth reproducing as a curiosity. They were as follows:—

"François Simon, Comte de Pfaff, et des deux Pfaffenhoff en Swabie et en Françonie, Libre et immédiate du Saint Empire Romain, Chevalier d'Honneur de l'Ordre Hospitalier, Religieux et Militaire de St. Jean de Jerusalem, Souverain de Malte, Grand Chanoine Tréfoncier Capitulaire, non-Demissionaire, et grand Théologal de Très Noble Chapître et Très Illustre Eglise Cathedral, Souveraine de Liège, Prieure Commendataire de St. Robert d'Authye, Docteur en Droit Canon et Civil de la Faculté de Paris, Docteur en Theologie de la Faculté de Nancy, et Docteur en Philosophie et en Théologie de l'Archi-college de la Sapience Romaine, Chef et Premièr de toutes les écoles *Urbis et Orbis Christiani*".

In the body of the document, which was dated December 1, 1808, the Count proclaimed his adherence to Blanchard's system, and called upon Milner for a written apology for having opposed it, to be delivered within forty days. If he refused, the Count declared he could denounce him as a heretic to all tribunals, secular and ecclesiastical. He added that the Ministry were cognisant of his action.

It is difficult to suppose that the Count really thought that Milner would be frightened into withdrawing his pastoral by such a palpably hollow document; but on finding that he was not, he drew up another similar one citing Milner to appear before the Court of Rome within three times forty days. This is humorous enough: but the sequel is even more so. Milner's lawyer tried a similar game of bluff, and with extraordinary success. He asserted that the citation under form of English law to appear before a foreign prince rendered him liable to

the penalties of *Præmunire.* The result was immediate. The Count sent a disclaimer in which he declared that he considered the citation as part of a scholastic dispute, and had no design to uphold the Pope's jurisdiction in England, or to break a law of the existence of which he was ignorant. Even after this apology, however, he did not feel safe, but promptly took to his heels and disappeared out of the country.

CHAPTER VII.

THE CATHOLIC BOARD.

WE can now return from our digression on the Blanchardists to follow once more the doings of the English Catholics. The year 1808 is a landmark in their history, for in that year they determined once more to organise themselves, so as to make their collective voice heard. Milner speaks of the new organisation as having originated in a society formed in the previous year. He says: "In the year 1807 certain lay Catholics, to the exclusion of their clergy, associated together as a literary club, for the purpose of defending their cause and religion against the shoals of pamphlets, and paragraphs, which the press poured out against them"; and adds that "it is probable that the experienced gentleman who planned it, our present learned historian,[1] intended it for nothing else but the nucleus of a new Catholic Committee, in which he preferred being an ostensible member and the secret director to the more invidious office of public secretary".

This description gives at the outset a regrettably unpleasant tone to the origin of the new society. It did indeed take its rise among laymen; but there is no evidence that they wished to exclude the clergy. On the contrary, the only printed document issued by them in 1807, consisting of an Address to their Protestant Fellow Subjects, in declaration of their loyalty, was signed by Dr. Douglass and several priests[2] as well as by about fifty of the leading laymen. It was headed "An Address of Several of His Majesty's Roman Catholic Subjects," and did not profess to be representative of the whole body. When, however, the new Board did assume a representative character, they invited all the vicars apostolic and the clergy

[1] *I.e.*, Charles Butler. See *Sup. Mem.*, p. 136.

[2] Revs. C. Bellasyse, J. Collins, J. Gabb, J. Yorke Bramston and J. Bew.

generally to join. Indeed, they seem to have been specially anxious to avoid the mistakes into which the old Committee had fallen. The anti-Papal feelings of even the most extreme were softened during the following years by the sight of Pius VII. in his misfortunes. The well-known picture of that holy Pontiff kneeling before the crucifix during his exile found its way into almost every Catholic house, and a personal reverence for the Holy Father became a feature of English Catholic life. Those who had sympathised with the old Committee realised that they had gone too far, and it was probably in order to break all connection with their former action that they refrained from electing Charles Butler, who was still in the prime of life, as their secretary. They chose instead Mr. Edward Jerningham, "an act," says Butler, "which pleased every Catholic". Even this, however, called for a deprecating remark from Milner. Speaking of the office, he says: "To fill this, he [Charles Butler] succeeded in withdrawing a gentleman of distinguished talents and family from the fairest prospects of his honourable profession to the dullest and most irksome drudgery of an Attorney's clerk."[1] And after this he commonly spoke of Edward Jerningham in terms only one degree better than he used of Charles Butler himself, alluding to his "bullying, threatening and cajoling".[2] Yet few people were more generally respected than Edward Jerningham. He was the third son of Sir William Jerningham, of Costessey Park, in Norfolk, who had been one of the steadying influences on the old Catholic Committee, and was still living, though in failing health. He died, in fact, the following year. During the last year of his life he had formed the project of building a new Gothic chapel adjoining the mansion, which was completed during the summer of 1809. Sir William Jerningham, however, did not live to see it used; the first public ceremony in it, the day after its consecration, was his own funeral, at which Bishop Milner preached. The bishop had indeed the greatest respect for the late baronet and all his family: and notwithstanding the way in which he used to speak of Edward Jerningham in his letters and publications, in private life he had a great regard for him. Husenbeth relates[3] how after his death, Milner

[1] *Sup. Mem.*, p. 136.

[2] See letter to Rev. J. Griffiths in the *Westminster Archives*.

[3] P. 485.

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when once on a visit to Cossey, stood over his grave, and gave vent to the soliloquy, "Ah! poor Edward, if I thought, Sir, that his spirit hovered about this vault, I would get up at midnight to commune with it". Indeed, every one who came into contact with Edward Jerningham liked him. The name by which he was known in his own family—"the Dear," to distinguish him from his uncle and namesake, known as "the Poet"—is evidence of his winning disposition.[1] He had received his education at Old Hall Green, in the days when Bishop James Talbot's Academy was carried on there. His diary, which he began just at the end of his stay there, shows that even in his early years he had a considerable taste for architecture, which showed itself later on, and led to his being employed by his father to superintend the building of the new chapel at Cossey. By profession he was a lawyer, and he had chambers in Lincoln's Inn close to those of Charles Butler, which fact was no doubt in part responsible for Milner's prejudice against him in his public capacity.

To return now to the history of the new organisation, we find that the next stage of its development was an attempt to undertake to provide means for refuting the pamphlets and Press notices alluded to. For this purpose a meeting was called, described by Dr. Douglass in his diary as follows:—

"1808. May 23. On this day the Catholic Nobility and Gentry held a meeting at the St. Albans Tavern to take into consideration the propriety of engaging certain reporters and newspapers to give a faithful account of what passes in the two Houses of Parliament, and a correct statement of the speeches of the members on the petition of the Irish Catholics, the debate upon which is to come on soon in both Houses."

When, however, the meeting actually took place, they proceeded rather farther than had been proposed, as we gather from the resolutions passed, which were as follows:—

"1. That it would be highly advisable and useful to have a sum of money collected for the general benefit and advantage of the Body, to be placed under the control of a certain number of noblemen and gentlemen, who should be requested to apply the same according to their judgment and discretion.

"2. That a subscription be opened at the banking house of

[1] See *Jerningham Letters, passim.*

Messrs. Wright, Selby and Robinson, in Henrietta Street, Covent Garden, for that purpose.

"3. That the following noblemen and gentlemen being subscribers, be requested to form a Board for the application of such subscription:—

"Earl of Shrewsbury, Earl of Traquair, Earl of Newburgh, Viscount Fauconberg, Lord Stourton, Lord Petre, Lord Arundell, Lord Dormer, Lord Clifford, Hon. Robert Clifford, Sir Henry Englefield, Bart., Sir John Throckmorton, Bart., Sir Henry Gage, Bart., and J. E. Arundell, William Cruise, George Silvertop, Peregrine Towneley, Francis Canning, William Sheldon, Charles Butler, William Throckmorton, Edward Jerningham, Francis Cholmeley, and Charles Sheldon, Esquires."

It will be seen that the list is fairly representative, the most notable name absent being that of Mr. Weld of Lulworth. It is pleasant to see the name of Viscount Fauconberg once more in Catholic ranks. On the death of the Protestant Viscount in 1802, the title passed to a distant cousin, the brother of Rev. Charles Bellasyse, whose family had always been Catholic.[1]

In sending out copies of these resolutions, Mr. Jerningham added a postscript, indicating more exactly the future work of the Board, in the following terms:—

"P.S. It being obvious in the present juncture of affairs that unless some point of union be established, the Catholics of England can neither co-operate if necessary with their brethren in Ireland, nor do justice to their own interests at home, it is confidently hoped that this subscription may prove a medium for forming an association so much to be desired; and it is therefore earnestly recommended to all the Catholics of Great Britain for their concurrence and support."

The subscription was well taken up, and according to the list published in the following March amounted to nearly £1,500. The names of the subscribers are representative of the Catholic body as a whole. We find all four vicars apostolic, the presidents of St. Edmund's College, Ushaw, Oscott, Stonyhurst, Sedgley Park, and Acton Burnell; sixteen missionary priests; ten peers; ten baronets; and members of

[1] On his death in 1810, the Rev. Charles Bellasyse himself inherited the title which he held till his death in 1815, when it became extinct.

almost every Catholic family of note, with the exception again of Mr. Weld of Lulworth. The sixteen clergy include the head priests of all the London churches, and a few others in different parts of the country. Apparently those who were chaplains to the gentry, forming the great majority of the clergy, did not think it necessary to subscribe.

It will be noticed that Milner's name appears among the subscribers to the Board. He tells us that he also advised others to subscribe, though he did so "with doubts and fears". From the beginning he was inwardly opposed to the Board, looking upon it as little more than a revival under another name of the old Committee. We find him accusing them of paying the Press "to publish anonymous defamatory pamphlets, mutilated and altered deeds, and false or misrepresented reports of Parliamentary speeches". He was also apprehensive about the future. Writing to Bishop Douglass on September 15, 1809, he says:—[1]

"We ought to settle a plan of operation in the too probable event of the renewal of the Veto in its worst form, and an attack on our fundamental prerogative: again the republication of that Pandorean box, the 'Declaration and Protestation,' i.e. by the Catholic Board, and the evils which it leads to, and which Charles Butler probably has in his head are deserving of our most serious deliberation."

The allusion here to "the Veto in its worst form" indicates that Milner had veered round in his opinions about it. He never did things by halves, and in fact he became as vigorous against the concession of any kind of veto as he had previously been in its favour. He maintained indeed that he had not changed his principles; that he had been prepared to offer only a limited veto, and finding that the Government would not be satisfied with anything short of an "effectual negative," which over-rode the safeguards which he considered necessary, he felt bound to oppose it *in toto*. Writing to Sir John Coxe Hippisley on April 2, 1810, he says:[2] "I have never for a moment altered my opinion as to what is right and what is wrong in this affair. I still say that my project was lawful if it were practicable; but it proved not to be practicable." In another place, having alluded to his action in pressing

[1] *Westminster Archives.* [2] *Hippisley Pamphlet*, p. 6.

forward the veto among the Irish in 1808, speaking of himself in the third person, he continues:—[1]

"Discovering afterwards, and clearly ascertaining, that a restrictive negative, confined in its exercise to a certain number of times, and to the sole purposes of civil allegiance, would not satisfy our political friends, but that they were bent upon acquiring a real efficient control over the choice of our Bishops, and by that means over the discipline, if not the faith of our Church, he grew convinced that it was his duty to oppose the new arrangements altogether, by whatever name they might be called, and to stand by that engagement which he had publicly made and printed in the newspapers at the very time when he advocated the restricted negative, namely, rather to give his blood than to give to an uncatholic sovereign either power or influence in any part of the Catholic Church. The fact is the veto as he had imagined it, in case its conditions were strictly adhered to, would not have given either power or influence to the Crown, but barely the means (which at first he conceived was all that was wished for) of excluding real traitors and disturbers of the public peace from a seat amongst our Prelates. If this statement be true, and the writer defies a refutation of it, where is that inconsistency of his conduct with which he has been so often reproached? Nay, how could he, as a consistent Catholic and an honest man, have acted a different part from that which he has acted?"

This explanation, however, only partially meets the facts of the case. Among Milner's various schemes for the veto, there were at least some in which its exercise was hardly or not at all limited; while his final position was an uncompromising opposition to every kind of veto, limited or unlimited. In his "Elucidation" he goes so far as to say that the Government has no more concern in the election of Catholic bishops of Ireland than "with the election of the Queen of the Fairies, or with the hierarchy of the sylphs and gnomes". He bases this on the fact that the Catholic bishops are not recognised in any way by Government. He gives the somewhat curious enumeration of the functions of a bishop as "(1) to administer Confirmation and Holy Orders; (2) to give leave to eat meat on Fridays; (3) to authorise priests to forgive sins"; and of all

[1] *Elucidation of the Veto*, p. 9.

these he rightly says that the State takes no cognizance. But he adds that the strength of a bishop is his personal influence, and it is this which would be attacked by the veto, to which he expresses now such an uncompromising opposition.

We can next proceed to consider the action of the Board in detail. In the month of March, 1809, a petition was received, signed by about fifty representatives of the chief families of Durham and Northumberland, headed by Bishop Gibson, requesting the Board to draw up a petition for Emancipation, to be presented to Parliament. They admitted, however, that unanimity among the whole Catholic body was essential, and offered to withdraw their requisition should it not meet with general favour among their fellow-Catholics. The Board met to consider it on April 10, when the opinion was expressed that it was too late to prepare a petition during that session; but they determined to get one ready in the autumn, to be presented early in the following year. It was written in the style usually adopted by the English Catholics. The petitioners began by expressing gratitude for the relief already given, and called attention to the fact that they had conducted themselves as good citizens, and that many Catholics had taken an important part in fighting their country's battles; yet Catholics were debarred from promotion in the army and were often forced to attend Protestant places of worship. They called attention to the general disabilities of Catholics, especially that they could not even vote at Parliamentary elections, much less sit in either House of Parliament. Yet numerically, as they pointed out, more than one-fourth of his Majesty's subjects were Catholics. They therefore asked for a repeal of all the tests which produced these disabilities.

Milner was ready at once to find fault with the petition, which he considered showed signs of Charles Butler's handiwork. He wrote as follows:—[1]

"[Charles Butler] drew up the last petition of the English Catholics, in which the tortuosity of his politics led him to affront our Irish brethren and to affirm downright falsehoods; for he confines with the most studied caution the religious grievances therein complained of to the English Catholics, and then proceeds to claim the merit of the military service per-

[1] *Letters to the Statesmen*, p. 38.

formed by the Irish Catholics, and the consequence arising from their number. It is well-known," he adds, "that I had a formal remonstrance on this and the other errors of the petition in my pocket when a meeting was held for the purpose of getting it presented to Parliament: reflecting, however, that this was a mere matter of politics in which religion was not concerned, I came to a resolution of suppressing it."

This decision of Milner's was probably wise, and as no one else made any objection, the petition was passed. It was eventually signed by all the vicars apostolic—Milner included —300 priests, 8 peers, 13 baronets, and 8000 laymen.

While the signatures were being collected, further political developments took place. In September, 1809, the disagreement between Canning and Lord Castlereagh culminating in a duel, led to their resignation, and to the fall of the administration of the Duke of Portland, who himself died soon afterwards. The new Prime Minister was Mr. Spencer Perceval, whose anti-Catholic prejudices were well known. Canning remained out of office for long afterwards, for the ostensible purpose of supporting the Catholic claims. His advocacy proved of great value; but the events of 1808 had an unfortunate effect with many of their friends. Mr. Ponsonby never forgave Milner for repudiating his veto scheme. During the debate in 1810, he said publicly in the House: "Dr. Milner would be the last man in the community to whom I should wish to communicate my opinion on any subject, much less upon such a one as this". Others who had been friendly to Catholics were frankly bewildered at the change of front on the part of the Irish bishops concerning the same question. In his *Letter to an Irish Catholic Gentleman*, Butler speaks as follows:—[1]

"Those who were acquainted with your Prelates willingly believed the rectitude of their proceedings. But the Catholics have some violent adversaries; and some of their friends are at times too easily alarmed. This strongly appeared on the event of which I am now speaking. The violent part of their enemies revived against them the old accusation that in transactions with persons out of their pale, Catholics were not to be depended upon. Our mildest adversaries observed with some severity on the strangeness of your prelates formally retracting

[1] P. 6.

in 1808 an offer which they themselves had formally made in 1799. Some even of the friends of Catholic Emancipation expressed an unpleasant surprise at this circumstance, and declared themselves unable to account for it. . . . Speaking generally, it may be asserted with the greatest truth that what happened with respect to the veto was a matter of triumph to all enemies, and a matter of great concern to all the friends of Catholic Emancipation. Unfortunately persons were not wanting among our adversaries who successfully exerted themselves to keep alive the general irritation which this wayward circumstance had produced."

Matters were in this state when Sir John Coxe Hippisley came forward with a scheme which was intended by him to satisfy all parties. Yet it included a veto, and something more besides. According to the plan which he sketched out, when a vacancy occurred in any diocese, the bishops were to send up the names of from four to eight candidates, and Government was to make a positive choice from that list. Similar arrangements were to be made with regard to the election of deans, and it was likewise intimated that some provisions were contemplated for a "Placet" or "Exequatur," as it is termed, being required before any Papal bulls or briefs could be put into execution. In return for all this there was to be a State provision for the clergy, so that the Catholic religion was to be put almost in the position of the established religion of the country.

These propositions naturally caused great agitation in Ireland, and the cry against the veto was revived. The agitation was increased when it was learnt that secret negotiations were proceeding between the Catholic Board and the Government, and that a general meeting of English Catholics had been called for January 23, 1810, to take the whole matter into consideration. Many disquieting rumours were in circulation, and it was freely said that the English Catholics were going to force the veto on their brethren in Ireland in spite of the contrary wishes of even their own clergy. Dr. Douglass was just recovering from a very serious illness from which he had been suffering during the previous year, and though able to attend to his ordinary business, he was still far from strong; and in point of fact, he never fully recovered. The following

letter to his coadjutor, gives his comment on the current rumours:[1]—

"26 *January*, 1810.

"MY DEAR SIR,

"Your information from the British Press hurried me off to Mr. Jerningham's, and from him I learnt that the whole was an infamous falsehood: and that the ferment raised in Dublin and throughout Ireland has been occasioned by the imprudence or malice or some other thing, call it what you may, in this manner, *viz.* our friends in Parliament being much hurt by what happened on the Veto business last year, have grown cool in our cause; Lord Grenville has positively declined moving the intended bill, as I have seen in a letter written by his Lordship to the Earl of Fingall. With a view to reconcile our cool friends to the Catholics, Sir John Coxe Hippisley conceived in his mind a sketch of a bill admitting a Veto in some way (I have not seen the sketch), and drew out the sketch and even printed some copies of it, which he sent to some of his friends with the word 'Private' also printed. Now some of these friends have betrayed his confidence, and copies of it have been sent to Ireland as a sketch of a bill to be actually moved in Parliament, etc., with an account of this being done by the Catholic laity in opposition to their clergy. Hence have clergy and laity too in Ireland taken the alarm, and raised such a ferment against the bill, against the Veto, and against the Catholic laity of England as Mr. Hay (Secretary to the Catholic Committee in Ireland) declares he never witnessed the like before. But Mr. Jerningham tells me he has written letters to Dr. Troy, Mr. Hay, and the Editor of the *Dublin Evening Post*, and makes no doubt of the ferment subsiding immediately, as he declares in those letters that the whole is an infamous falsehood, and that the Catholic laity in England have no other wish but to go hand in hand with the Catholics of Ireland, etc., etc. . . .

"With every good wish to all,

"I remain, Your, etc.,

"J. DOUGLASS."

In the letters here alluded to, Mr. Jerningham informed

[1] *St. Edmund's College Archives.*

Dr. Troy that the general meeting of English Catholics had been put off until February 1, in order to allow time for the deputies from Ireland, who were the bearers of petitions from different parts of the country, to arrive in London, stating that the English Catholics were particularly anxious to obtain the most correct information, in order to regulate their conduct by that of the Catholics of Ireland, as in England the Catholics are not the people. These letters had the desired effect. Dr. Troy replied as follows :—[1]

"11 Blackhall Street, Dublin.
"*February* 3, 1810.

"Sir,

"I lost not a moment after being honoured with your letter of the 23rd ult. to communicate its contents to all our Bishops and to the clergy and people of this city, and have the pleasure to assure you that the communication has effectually removed the alarm excited by the reports of our intended legislative provision concerning the Veto. It has also rendered the appointed general meeting of our Prelates here unnecessary and inexpedient.

"You will have observed from the Dublin prints how generally the Veto measure is reprobated. The opposition to it is so great that were I or any of our Prelates to advocate it, we would be considered as apostates from our faith, and forfeit whatever influence we have over our respective flocks, or submit to be deprecated by society at large and by the Protestant Church establishment itself.

"Mr. Hay, secretary to our General Committee, sailed to England last night, with the Catholic petition which had been signed long since.

"I have the honour to be, with perfect esteem, Sir,
"Your very obedient servant,
"J. T. Troy."

The alarm was not confined to Ireland. In the North of England various rumours were afloat, and Dr. Gibson himself became disquieted. The following letter to Bishop Poynter will show the direction which his fears took :—[2]

[1] *Westminster Archives.* [2] *Ibid.*

"My Lord,

"I thought last week I might have had the pleasure of seeing you by this time, but have been disappointed. Bp. Douglass informs me that the Catholic meeting is deferred, and that he does not intend to be present. But though I have repeatedly mentioned the Veto to him, he does not take the least notice of it in his answers, so that one is quite left in the dark.

"I need not suggest to your consideration what Douay College Dictates say: '*Imo, non possunt ecclesiae rectores per aliquem canonem potestatem alieni ecclesiastici regiminis*, etc., etc., *quam Christus sacerdotali ordini annexam esse voluit, a suis successoribus alienare.*' Will not a Veto virtually conclude this surrender? and should not we labour to save our Hierarchy from contempt among Catholics? The Church would never compromise its Hierarchy.

"Bishop Milner will be at the public meeting of the Catholics on the 23rd,[1] at St. Albans Tavern. The petition circulated for Emancipation and signed by many in the North had no mention of Veto or compromise, so if any be proposed, the signatures do not authorise them, and I have been told that in such case they are to be looked on as withdrawn. Certainly such things were not assented to by them or any one yet.

"I must own I fear mischief or dissension. May God protect us. I wish you to be much on your guard. I need not remind you that Bishops do not vote with laity or any others that are not judges as Bishops are. Pray write soon. You will be enabled to judge from what passes at the Private Meeting on the 23rd, what is really to be brought forward on the 1st of February.

"Mr. Smith joins in best wishes to all with you, Bishop Douglass and Mr. Hodgson.

"Yours most sincerely,

"W. Gibson.

"Durham, *January* 19th, 1810."

The apprehension felt by the Catholics in the North of England was shared by their brethren in the West, though

[1] This seems to be a slip on Dr. Gibson's part. Later in the letter it appears that he already knew that the meeting on the 23rd would be private and the public meeting would be on February 1.

Bishop Collingridge

owing to their scattered condition they were less well informed of what was going forward. Dr. Sharrock had died nearly fifteen months before, and Dr. Collingridge, who had succeeded as vicar apostolic, seems to have been for some time quite in the dark; but when news at last reached him of the state of affairs, he lost no time in appearing on the scene of action, as we shall see.

We must now give an account of the actual negotiations between the Catholics and their Parliamentary friends which took place during the last days of January. The well-known letter from Lord Grenville to the Earl of Fingall was issued as a printed document on January 25. It contained a full declaration of the policy of the friends of the Catholics in Parliament, and was often spoken of as "the Creed of the Party". It included a declaration with respect to the veto, and it will be convenient to bring together the several allusions. He wrote as follows:—

"With the just and salutary extension of civil rights to your body must be combined, if tranquillity and union be our object, other extensive and complicated arrangements. All due provision must be made for the inviolable maintenance of the religious and civil establishments of this United Kingdom. . . . Among other measures I pointed out the proposal of vesting in the Crown an effectual negative on the appointment of your Bishops. . . . That adequate arrangements may be made for all these purposes consistently with the strictest adherence on your part to your religious tenets is the persuasion you have long been labouring to establish, and of which I have uniformly professed my own conviction. Were it otherwise, I should indeed despair."

The succeeding negotiations can be given on the authority of Dr. Poynter, who was in close communication with the Catholic laymen at the time. He writes as follows:—[1]

"On the 29th of January, 1810, Earl Grey signified to some of our leading men among the Catholics that to obtain success to the petition, he particularly desired that 'the Catholics should declare by some instrument that they were ready and prepared to give some pledge which should not be repugnant to the principles of their religion, respecting the loyalty of those who

[1] *Apologetical Epistle*, § 4.

should be appointed to the Prelacy'. He therefore proposed a formula by which the English Catholics should express that 'they were willing to acquiesce in any proposal which should be conformable to the principles of their religion, and the discipline of the Roman Catholic Church, and which should seem expedient to assure the loyalty of those who were to be proposed to episcopal order and duty'."

This was shown to Dr. Douglass the following day; but he was unable to approve of it; and Mr. Jerningham said that it was inconsistent with the pledges he had given to the Irish. A further conference with Lord Grey accordingly took place, the following day again—that is on January 31—Lord Grenville and Mr. Windham assisting at it on one side, and Mr. Jerningham, Mr. Charles Butler, Sir John Throckmorton and Mr. Silvertop on the other. At this meeting it was explained that the English Catholics were "unwilling that any specific proposal which might affect the common concerns of the English and Irish Catholics should be entered into without the consent of their Irish brethren," and it was agreed "that only a general declaration should be made, which should express that the Catholics were ready to do on their part those things which, while they were conformable to their religion, might at the same time give mutual satisfaction and security to Government and the Catholics".

The Resolution which afterwards became so celebrated was drawn out accordingly, and at the request of the deputation, Lord Grey put this explanation of its intended meaning into writing, and affixed his signature. It formed the fifth of those to be presented at the meeting the following day, and we can conclude this chapter by giving these in full:—

"1. That the Roman Catholics of England are subject to several penal and disabling statutes, which have the most humiliating and depressing operation upon them, and by which hey are reduced to a state of political degradation highly injurious to their country and themselves.

"2. That arrived as the United Kingdom is at the crisis of its fate, unanimity among all classes of his Majesty's subjects is most essential for the preservation of the Empire, and that nothing can produce that unanimity, but an equal participa-

tion in the rights, privileges, and immunities of the British Constitution.

"3. That the petition signed by the Roman Catholics of England for the repeal of these statutes be presented to Parliament.

"4. That Earl Grey be requested to present the same to the House of Lords, and that the Right Hon. William Windham be requested to present the same to the House of Commons.

"5. That the English Roman Catholics in soliciting the attention of Parliament to their petition, are actuated not more by a sense of the hardships and disabilities under which they labour, than by a desire to secure, on the most solid foundation, the peace and harmony of the British Empire; and to obtain for themselves opportunities of manifesting by the most active exertions their zeal and interest in the common cause in which their country is engaged, for maintenance of its freedom and independence; and that they are firmly persuaded that adequate provision for the maintenance of the civil and religious establishments of this kingdom may be made consistently with the strictest adherence on their part to the tenets and discipline of the Roman Catholic religion: and that any arrangement on this basis of mutual satisfaction and security, and extending to them the full enjoyment of the civil constitution of their country will meet with their grateful concurrence."

In order to bring the Fifth Resolution under the notice of Parliament, it was necessary to put it in the form of a petition drawn up for the purpose; and thus it came about that in addition to passing the Resolution at the meeting, it became necessary that those who favoured it should affix their signatures.

CHAPTER VIII.

MEETING AT THE ST. ALBANS TAVERN. THE FIFTH RESOLUTION.

IN the diary of Bishop Douglass under the heading of January, 1810, we read :—

"On this day and *seq.* (January 29 and 30) many Catholic Noblemen and Gentlemen arrive in town, in order to attend the public meeting at the St. Albans Tavern on the 1st of February. Also some Irish deputies, with the petitions of the Catholics in Ireland."

The meeting alluded to was looked back upon for many years afterwards as a critical one in the history of English Catholicism. It marks the parting of the ways, for from this time the English and Irish Catholics ceased for a period to work in unison. All the events which centred round it became the subject of heated and even acrimonious controversy. We must therefore follow them in close detail. We have at least two accounts by Dr. Poynter, one by Lord Clifford, and several by Dr. Milner, as well as numerous references in the letters and correspondence of the day. By combining these, written as they were from different and even opposite points of view, we shall be able to form a fairly trustworthy idea of all that occurred on that memorable occasion.

We begin with Milner's arrival in London on Tuesday, January 30. On the following morning he called at Castle Street, where he found Dr. Douglass and Dr. Poynter conferring together. They had before them the Fifth Resolution in its original form, and were determined not to agree to it. As they were talking, the Rev. George Chamberlayne brought in the amended Resolution, which he had just received from Mr. Jerningham after his conference that morning with Lords Grenville and Grey. A general hope was expressed that the Bishops should act together, and the conference terminated.

Before going to Castle Street, Milner had received an invitation to dine that day with Lord Stourton, Lord Dormer and Sir John Lawson, at Doran's Hotel in Dover Street, where the latter was staying. Four others, all laymen, were asked to meet him, one of whom was Edward Jerningham. At the latter's suggestion, an hour or two before the time for dinner, invitations were sent to Lord Clifford and Mr. Weld, in order to discuss the resolutions to be proposed the following day. Both of them accepted, Mr. Weld bringing with him his three sons. After dinner the expected discussion took place. Milner, who had not anticipated it, ever afterwards maintained that the whole was a scheme to attack him while he was away from his episcopal brethren, and to induce him to agree to the Fifth Resolution, which he refused to do, seeing in it, as he said, "the veto in its most hideous form". As usual he traced the mischief back to Charles Butler, who was not indeed present at the dinner, but at whose instigation—so Milner maintained—Mr. Jerningham had arranged it. He spoke of it as a "bribe" held out to him. In a letter to Dr. Douglass he says, "It is a fact, my Lord, that Lords Stourton and Clifford, etc., by the contrivance I make no doubt, of Charles Butler and Mr. Jerningham, did invite me to a grand dinner on January 31, apart from any of my brethren, for the express purpose of getting me to consent to important matters relative to religion without their participation."

We can give the outline of the discussion in Milner's own words:—[1]

"I objected to the Fifth Resolution; for though I had not an opportunity of weighing the precise terms of it, I saw very plainly the Veto lurking behind it, and I argued at considerable length on the fatal consequences to be expected from English Catholics taking a step of this nature without the concurrence of the Irish. I was answered that the cause of the former stood on a different ground from that of the latter. To this I replied: 'thus much at least I am sure of, that Catholic Bishops have but one cause, and ought to speak the same language all the world over; and as I am connected in a particular manner with the Prelates of Ireland, I cannot sign this Resolution without their approbation of it'. I was then in-

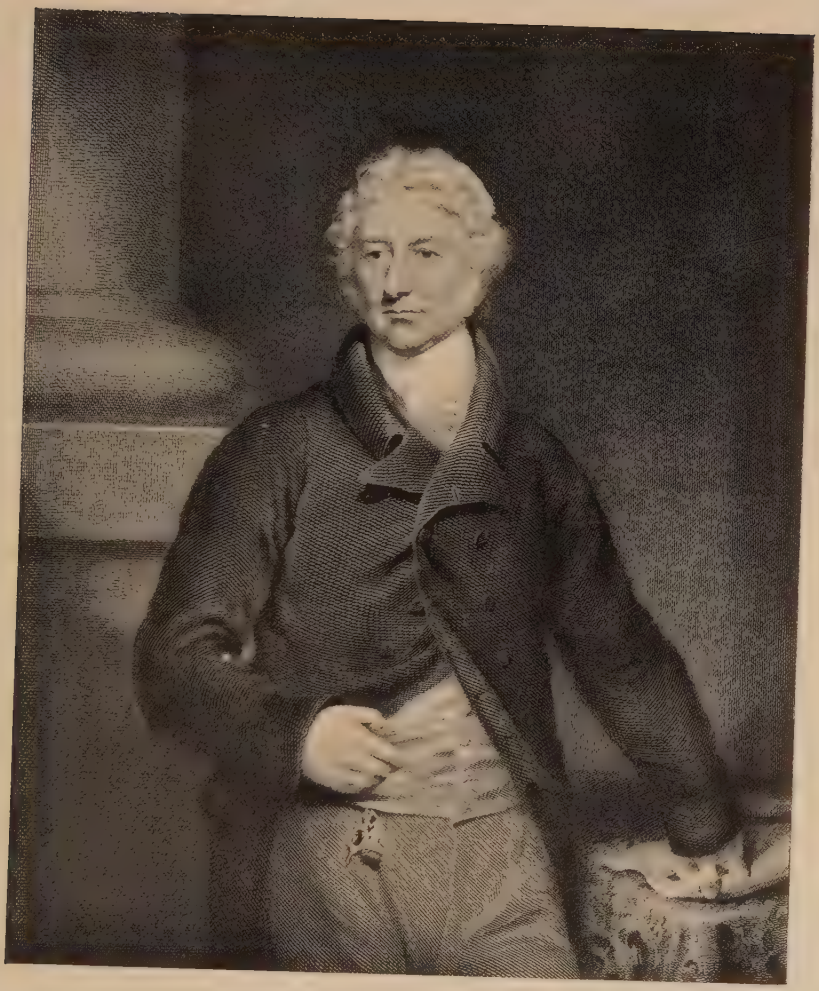
[1] Letter to Dr. Douglass in *Westminster Archives.*

terrogated whether in case I had no connection with the Prelates of Ireland I would sign it in the mere character of an English Vicar Apostolic? My answer was precisely this, 'I beg leave to decline answering this question now, because I hope to give an answer to it in common with my brethren'. I was then pressed to promise that I would not use any arguments to influence the opinion of my brethren; I trust I need not tell you that I felt indignant at the proposal, and answered that I should treat the matter with my fellow Bishops according to the dictates of my conscience."

In another of Milner's accounts,[1] he admits that he promised not to dissuade any of his clergy from signing it, and this tends to show that he did not at that time feel very strongly opposed to the Resolution in itself. Later on, in answer to an inquiry from Lord Clifford, Milner answered, apparently with some warmth, "You may sign it if you will". Mr. Weld also asked the same question, and received a similar answer. This, Milner always afterwards explained, was not meant "by way of solving a case of conscience"; but "to put an end to an importunate interrogatory"; and he adds that he was "adverting to the inefficacy of the signature, not to the morality of it". Milner's explanation must of course be accepted, but there can be little doubt that Lord Clifford and Mr. Weld both understood him to mean that though he (Milner) was opposed to the Resolution, if they took another view, they might conscientiously sign it. Certainly Mr. Weld would have been the very last man to act against Milner's distinct warnings. He had been most careful not to mix himself up in any way with the party to which Charles Butler belonged, and ever since he had been betrayed into signing the Protestation in 1789—which act he had never ceased to regret—he had always been at the greatest pains to keep on the ultra-orthodox side. Lord Clifford also had been Milner's friend, and at this time he was taking special care to avoid offending him, as he himself testifies. With respect to his own action, and to the origin of the dinner, we can quote his own words from a letter to Dr. Poynter. He writes as follows:—[2]

[1] *Explanation with Dr. Poynter*, p. 16.

[2] *Archives of the English College, Rome.* See also another letter from Lord Clifford, and also one from Mr. Humphrey Weld, in Appendix C.



Charles, Sixth Lord Clifford

"As to what passed at Doran's Hotel after dinner—which though consisting of a very few gentlemen (about thirteen) Bishop Milner dignifies with the appellation of 'a grand political dinner'—I can only say that neither Mr. Weld's family nor myself had any notice of it till an hour or two before. When Mr. Jerningham read the resolutions (that were to be proposed the next day) to us for the first time, I strongly objected to the manner in which the Fifth Resolution was worded, as it seemed to me to admit of a construction which the gentlemen who attended Lords Grey and Grenville on the subject in the morning assured us they never intended; and I withdrew my opposition to it on Bishop Milner's assuring me that *I* might sign it though *he* would not. On my pressing him to know why he objected to sign it when he told me that I might, he said his signing it would give offence to the Irish Bishops, to whom he acted as agent, and that he should again be burnt in effigy, etc."

When morning came, an unexpected event happened, namely the arrival in town of Bishop Collingridge, who on receipt of a copy of the Resolution in its original form, had travelled all night in order to be in time for the meeting, and to oppose it. On his arrival he went to Castle Street, where he conferred with the two London bishops as Milner had done. They agreed not to accept any "formula which would subject the Vicars Apostolic in spiritual matters to the Civil Government, or which would in any manner be repugnant to the faith, discipline, or rights of the Catholic Church".[1] The Rev. Joseph Hodgson was present at the interview. Soon afterwards Mr. Jerningham arrived, and as the result of a further conference, the three bishops decided[2] "that [the amended resolution] might be signed without danger, as it gave no pledge to accept anything specific; and particularly as the Catholics when they signed it would only declare their willingness to concur in such measures as would give mutual satisfaction and security. For that if any arrangements should ever be proposed which should not satisfy us, the guardians of the sacred deposit of the faith and discipline of the Catholic Church, or which should be adverse to its security, it would be wholly and absolutely

[1] *Apologetical Epistle*, § 9. [2] *Ibid.*, § 10.

free for us altogether, and under the very wording of the Resolution, to reject them."

Milner did not hear of this meeting till afterwards. When he did hear of it, he complained that he ought to have been asked to attend; but in this he was hardly reasonable, for however much the other bishops might have wished for his presence, they could not have invited him, as the meeting did not take place by arrangement, but only by chance.

The decision come to was of course only binding on those who were present and agreed to it. It remained to consult Dr. Gibson and his coadjutor, and the bishops determined not to sign the Resolution until their arrival in town. Dr. Douglass further instructed Dr. Poynter not to decide anything in his name, as he was sufficiently near to be consulted if necessary.[1]

We now come to the meeting itself, which was held at the St. Albans Tavern. About a hundred Catholics were present. The two bishops on arriving met Dr. Milner, and arranged for a conference on the following day at Castle Street, saying at the same time that they would not sign the Petition containing the Fifth Resolution until they could all act with unanimity. In the absence of the Earl of Shrewsbury, through indisposition, Lord Stourton took the chair, and Lord Clifford proposed the resolutions. Each of them made a preliminary speech. Lord Stourton said, amongst other things, that "Suffering as they had done for so many years a privation of all their civil rights, and of much of their temporal property, on account of their profession of the Catholic faith, still they would not surrender a single particle of that holy religion in the hope of any temporal advantage whatsoever, which the British Government could give to the Catholics; and that they valued their religion

[1] So Dr. Poynter emphatically states: see *Apologetical Epistle*, p. 2, and elsewhere. Nevertheless Milner continued to the end of his life to assert the contrary—that Dr. Poynter had said that he represented Dr. Douglass at the meeting: see *Supplementary Memoirs* (p. 151) written in 1820, and elsewhere *passim*. The question is not in itself of much importance, as Dr. Douglass on the following day formally confirmed all that his coadjutor had done. But we cannot but regret that Milner should have continued to insist on his statement after Dr. Poynter had contradicted it. He might indeed reasonably have said that he *understood* Dr. Poynter to say that he represented Bishop Douglass; but to reiterate the statement that Dr. Poynter had actually said so, in spite of his explicit denial, was equivalent to accusing him of an intentional untruth; for Dr. Poynter must certainly have known in what capacity he attended the meeting.

much higher than all their temporal possessions or the highest honours of the kingdom".

The Resolutions were then put to the meeting one after the other. The first four were of course carried unanimously. When the fifth was read out, Dr. Poynter spoke, saying "that this Resolution would probably involve in its consequences questions which would affect the spiritual interests of all the four districts and which consequently must be referred to the judgment of the four Vicars Apostolic". He then proposed it to the consideration of the chair and of the company, "Whether it would not be advisable to wait for the signatures of the Vicars Apostolic until Bishop Gibson could come up to town," observing "that the united concurrence of the *four* Vicars Apostolic would add force to the Resolution and contribute powerfully to the attainment of the object of the meeting". Lord Stourton replied "that these Resolutions contained no specific engagement, but only expressed a general disposition to treat with Government on the great subject of Catholic Emancipation; that we here declared that it was possible to give satisfaction and security to Government by means not inconsistent with the principles of the Catholic religion; and that we are willing to accede to an arrangement founded on the basis of mutual satisfaction and security". He added "that if any specific terms should be proposed affecting the interests of Religion, they should be submitted to the deliberation and judgment of the Right Rev. Vicars Apostolic". This declaration naturally pleased Dr. Poynter. In his Apologetical Epistle he goes so far as to say that it "put an end to all anterior divisions and restored a most happy union between the Bishops and all Catholics"; and a little farther on, he concludes, "Thus therefore on this very day noble and distinguished Catholics who had been divided for twenty years became joined as one people in the bond of peace".

Before the resolution was put, Milner spoke, pleading for at least a postponement of the consideration of it, to allow time for him to obtain instructions from the Irish bishops. He probably thought that this plea would be the most likely to be effective, but in fact it gave additional colour to the statement that he had said on the previous evening, and at other times, that his reason for refusing to sign was that he was act-

ing as agent of the Irish bishops. Lord Stourton answered that delay was impossible, as their Parliamentary friends were urging them to present their petitions at the earliest moment; and when Milner continued to argue, Lord Stourton cut the conversation short by interjecting: "What have we to do with the Irish? We have nothing to do with them but to pray for them"—a sentiment to which of course he could only have given expression in a moment of irritation, but which Milner afterwards recorded in print.

The other two bishops now considered that Milner had cut himself off from them, by his statement that he was acting as agent to the Irish bishops. Nevertheless, probably bearing in mind that they had promised to discuss the matter at Castle Street the following day, and also—as he says—that Bishop Gibson had not yet arrived, so that the concurrence of the four vicars apostolic was not yet possible, when the Resolution was put to the vote Dr. Poynter refrained from holding up his hand with the rest. Dr. Collingridge acted with him; and of course Milner equally refrained from voting in favour of it.

The next business was the signing of the Petition to Parliament which included the Fifth Resolution. Those present began to sign in turn, and while this was going on, a considerable amount of informal discussion took place. Many of those present urged Dr. Poynter and Dr. Collingridge to sign, including some of the clergy, who considered that the laymen were holding out an olive branch, and that it would be worse than unfortunate if the bishops received it ungraciously. Dr. Poynter consulted Dr. Milner, who answered brusquely, "I have been burnt once in effigy, and if I sign this, I shall be burnt again". Dr. Collingridge also consulted him, and received a similar answer. The two Bishops again understood this to be equivalent to a declaration that he was acting on behalf of the Irish, for it was at Dublin that he had been burnt in effigy. Those who were trying to persuade them laid stress on this and on Milner's declaration at Doran's Hotel on the previous evening. They likewise urged that Milner had a few minutes before repeated his saying to Mr. Weld, "You may sign it if you wish," and the latter had done so, together with his three sons.[1] Lastly,

[1] In later years Cardinal Weld always declared that Milner had authorised his father and himself to sign the Fifth Resolution; see note by Canon Maguire

while they expressed their hope that Dr. Gibson would come to town at the earliest possible date—and some of the gentlemen present offered to pay his expenses for that purpose—they pointed out that even if he started at once, on receipt of their letter, he could not arrive before the day fixed for presenting the Petition, so that it was useless to hope that it would be signed by all four vicars apostolic.

Under these circumstances, being urged by laity and clergy alike, and feeling that it would be ungracious to persist in their refusal, Bishops Poynter and Collingridge both signed the petition. This action so took Milner by surprise that he tells us that when he saw their signatures, he at first suspected them to be forgeries: but the bishops avowed them as their own, and told him that the arrangements for the conference on the following day were cancelled.

Milner maintained that the two bishops had been "over-persuaded"; and he often quoted the fact that one of the laymen two days afterwards said to him, "Do not be angry with your brethren; they resisted as long as they could, but we jockeyed them". The author of this phrase was none other than Mr. Jerningham himself; and he always said that he had not used it seriously but by way of banter.[1] Indeed, had he seriously thought it, he would for that very reason have refrained from saying it; and we must judge the action of the two bishops independently of such comments. We have their view given by Dr. Poynter; and the opposite one by Milner. It is unlikely that either is a complete statement of the influences that prevailed; but Dr. Poynter was undoubtedly of opinion both then and afterwards that he had taken the proper course: and that he had by his action gone far towards reconciling the long-standing feud between the leading Catholic laymen and the vicars apostolic. On this aspect of the question it is instructive to quote the testimony of Lord Clifford, who, writing to Bishop Collingridge shortly afterwards, says: "I do not remember ever witnessing so much harmony, nor so much willingness to forget what had passed, as I did at the various meetings I attended when I was in town".

in his copy of the *Supplementary Memoirs* in the Maguire Library, at St. Edmund's College.

[1] See letter of Mr. Edward Jerningham, in the *Archives of the English College, Rome.*

At the conclusion of the meeting, Dr. Poynter returned to Castle Street, and the next day Dr. Douglass added his own signature to the petition which embodied the Fifth Resolution. In his diary he says simply that "Bishop Milner declined signing, on account of his being the agent of the Bishops in Ireland, and had not received from them any instructions or communications upon the subject of the present petition". From this it would appear that at the time the bishops were far from realising that the Fifth Resolution was to become a serious bone of contention between Bishop Milner and themselves. It was always maintained by Dr. Poynter that Milner's opposition to it at the meeting was not very pronounced, and that it was only afterwards that he became so hotly opposed to the Resolution.

In the evening of the same day on which the meeting was held—that is on February 1—a dinner took place at the Clarendon Hotel in Bond Street, which the leading Catholics, both clerical and lay, attended. Milner was there among the others, showing that he too had not yet realised that the contention over the Fifth Resolution was to prove so serious. During dinner a disagreeable altercation took place between him and Sir John Lawson, concerning a proposal said to have been made for a Government salary for the vicars apostolic, which Milner declared he would never accept. To this we shall have to refer in a subsequent chapter. Later in the evening he had another dispute, this time with the Rev. James Archer, the preacher. It appears that in the revised instructions for the clergy issued in 1803 under the name of the *Observanda*, a definite prohibition had been added against their going to the Theatre. Mr. Archer had been in the habit of going in order, to take lessons in eloquence, and he resented the prohibition, which he traced to the influence of Milner, who was known to feel very strongly against any Catholic, much more a priest, doing so. Mr. Archer, sitting near Milner, declared loudly that the *Observanda* was "the most ridiculous composition that ever was published".[1] Milner took up the cudgels in its favour, and called on Dr. Poynter to support him; but Dr. Poynter, as representing the Bishop of the District, was sitting next the Chairman, and said he was unable to hear the subject

[1] See Milner's *Letter to a Catholic Peer*.

of the dispute, as Milner was sitting some way down the table. The meeting and dinner together gave rise to quite a literature of fly-leaves and pamphlets. Milner printed a *Letter to a Catholic Peer*, apparently Lord Clifford, who says that he tried to dissuade him from publishing it. The letter was an attack upon Bishop Poynter for his conduct both at the meeting and at the dinner. Dr. Douglass describes it as "very blameable," saying that it contains "much misrepresentation of facts". Dr. Poynter defended himself in a printed letter to Dr. Milner. The latter replied further in another printed letter, described by Bishop Douglass as "more blameworthy than the first". Lord Clifford himself also answered in a letter to Dr. Poynter, which, however, he did not publish.[1] In another letter he deprecated the proceedings at a private dinner having been made public at all, and assured Dr. Milner that no one had been intentionally wanting in respect towards him. The Rev. James Archer sent an apology to Dr. Milner for having used unseemly language in speaking to him. Afterwards he published two letters, the first of which Dr. Douglass considered "to do him great credit"; but of the second—which was in answer to Milner's second letter—he says that it "is written with great ability, but to my mind takes away from Mr. Archer the credit which the first had done him".[2] A few weeks later Milner published his *Elucidation of the Veto*, a pamphlet in three parts, to which we shall have occasion to refer presently.

On February 16 Dr. Gibson and Dr. Smith, his coadjutor-elect, arrived in London. As the petition of the English Catholics had not yet been presented—its presentation having been postponed—Mr. Silvertop obtained it back from Lord Grey in order to add the signature of the northern bishops. Now Dr. Gibson had always been hotly opposed to the concession of any kind of veto, and maintained that it was due to his influence that Milner had eventually declared against it. In order to be quite safe, before signing the petition he asked once more for an assurance that the veto was not alluded to in the Fifth Resolution; and once more Lord Grey declared in writing that no such measure was alluded to. The two northern bishops accordingly signed the petition at the house of Bishop Douglass.

[1] See Appendix C. [2] *Douglass Diary*.

The petition was presented to both Houses on the same day—February 22—to the Lords by Earl Grey, to the Commons by Mr. Windham. We shall have occasion to comment on Lord Grey's speech in the next chapter, for it contained an explanation about the Fifth Resolution and its meaning. Mr. Windham's speech contained no allusion to it, and was simply a short declaration of the principles he had often before advocated. This was, however, the last time that he spoke on behalf of the Catholics. In the previous July he had met with an accident under unusual circumstances. Returning home one night, he saw a house on fire in Conduit Street, close to that of a friend—the Hon. Frederick North—who was then absent in the Mediterranean. Mr. Windham lent his assistance in order to save his friend's library, and the greater part was saved; but he received a blow on the hip from falling timber which gradually festered, and incapacitated him for work in May. He underwent an operation, but it was unsuccessful, and he died on June 4, 1810. With his death the Catholics lost one of their best friends in Parliament, who had taken an active part in passing the Act of 1791, and spoken for them on all occasions since. One of the last acts of his life was the writing of a letter to Mr. Jerningham on the Catholic claims.

After the presentation of the Petition, all the four vicars apostolic being now in London, advantage was taken to hold a meeting and quasi-synod, for which Milner had so long been calling out. Dr. Douglass records it as follows:—

"1810. February 20. The Synod commenced this day in my apartments, Castle Street, Holborn. Present:—Right Rev. Dr. Gibson, V.A. of the Northern District, and President of the Synod, with his Coadjutor, Rev. Thomas Smith, not yet consecrated, and his two theologians Rev. Thomas Rigby, D.D., and Rev. James Yorke Bramston; Rt. Rev. Dr. Milner, V.A., with Rev. John Griffiths, his theologian (his second theologian, Rev. G. Carron, having excused himself from attending), Rt. Rev. Dr. Collingridge with his theologians, Rev. Wm. V. Fryer and Rev. Father Charles MacDonnell; Rt. Rev. Dr. Douglass, V.A., with his Coadjutor Rt. Rev. Dr. Poynter, and his theologian Rev. Joseph Hodgson, Vicar General, and Rev. George Chamberlayne. *Felix faustumque sit.*"

Bishop Thomas Smith

The meeting lasted nine days. We shall have occasion later on to allude to some of the decisions arrived at. The matter which here concerns us is that of the veto, which was discussed on the sixth day. The following questions were proposed:—

1. Can the power of nomination of Bishops be permitted to a Protestant Government?

2. Can an unlimited and absolute negative be permitted to a Protestant Government?

3. Can a limited negative be permitted with the consent of the Holy See?

4. At all events, is it not absolutely necessary and even essential according to the tenets and discipline of the Church that every limited negative be so guarded by conditions that it never can by any art be converted into a nomination direct or indirect?

The first two of these were answered unanimously in the negative. With respect to the last two, Milner objected to the subject being discussed further at that time, and Bishop Gibson wished them to be left undecided for the present. The others were willing to answer in the affirmative. In fact, they exactly represent Bishop Poynter's opinion on the veto, that it was entirely a matter for Rome to settle; and for the vicars apostolic to treat in the matter would be "as absurd as ineffectual".

At the conclusion of the synod the bishops dispersed. Bishops Poynter, Gibson and Collingridge went to St. Edmund's College, where on Sunday, March 11, the Rev. Thomas Smith was consecrated Bishop Coadjutor by Dr. Gibson, the other two assisting.

Bishop Milner returned to Wolverhampton. Dr. Douglass, in recording this, adds:—

"He appears to be much affected by the opposition, etc., he has met with during his stay in town. He threw himself on his knees before me on Friday evening 10th of last month, and begged my pardon for what he had during a few years past at different times said against my conduct. This he did in presence of Bishop Poynter and Messrs. Hodgson and Chamberlayne in my parlour; and to-day in my sitting-room he repeated the same. At our shaking hands at his parting

from me, he again threw himself on his knees, begged my pardon, hoped I would forgive him, and trusted that henceforth we should be as friends as ever, etc., etc."

Lest, however, this action of Milner's should be understood as meaning more than he intended, it may be well to add here what he wrote in a letter a few weeks later:—

"If I asked your Lordship's pardon on my knees and Bishop Poynter's in print, I beg leave to assure you (as I thought you understood from the circumstances) that I was not more conscious of any fault committed by me against either than Bishop Challoner when he asked pardon on his knees of the Rev. Mr. Green the preacher; on the contrary, I was convinced that you had both greatly injured me: but I was desirous of soothing your minds in order that we might act in concert for the common good."

CHAPTER IX.

DISCUSSION OF THE FIFTH RESOLUTION.

MILNER describes the Fifth Resolution as one "which separated the Irish from the English Catholics, divided the last mentioned among themselves, carried discord into the bosom of the sanctuary, distressed the See Apostolic beyond description, and at length brought forth the persecuting and schismatical Bill of 1813".[1] On the other hand, all the other English bishops, five in number, signed the Resolution, and repeated the act subsequently more than once; Butler describes it as a "Conciliatory Resolution" and "a mere general expression of good humour";[2] and many of those who ought to know, both Catholics and non-Catholics, protested against attributing to it any connection whatever with the Bill of 1813. Moreover, while the Holy See was undoubtedly distressed beyond measure at the dissensions to which the Resolution gave rise, it is by no means clear that adverse judgment was formed in Rome of the Resolution itself. Considering then what an important source of contention this Resolution was, it will be well to devote a chapter to discussing in detail its merits and demerits as maintained by those who favoured or opposed it respectively. It can be considered from two separate points of view, first as it stands by itself, and secondly in connection with the circumstances and history of its introduction.

We may begin by calling attention to the general principles on which its upholders base their defence of it. They would say that as Catholics are not responsible for building up the Established Church, so neither are they called upon to try and knock it down, if they think that greater evils would ensue as a consequence. This attitude of mind is perhaps more common among Catholics at the present day than it

[1] *Sup. Mem.*, p. 139. [2] *Hist. Mem.*, iv., p. 168.

was a century ago. In this sense, it would be argued, if the Government wish to adopt particular safeguards for the Establishment, Catholics can concur by accepting them for the sake of some definite good. It is certainly no stronger a "concurrence" than the various modifications proposed in the Coronation Declaration of the Sovereign which Catholics of our own day, with the approval of the bishops, have frequently or even spontaneously offered, as a security for the safety of the Protestant succession, on condition that the former one, which was hurtful to their feelings, should be abolished;[1] while the end to be gained does not compare in importance to that of Catholic Emancipation, which was the end aimed at by the Fifth Resolution. It is at most what theologians would call material or negative co-operation. Yet it was exactly in the word "concurrence" that the opponents of the Resolution professed to see its unlawfulness. Milner writes: "How can I, a guardian of the Catholic religion, consent to the making of adequate provision for the maintenance of the (Protestant) religious establishment of this Kingdom?"[2] Again, in his "Instructions to Catholics of the Midland District," he says,[3] "No good and well-instructed Catholic can concur to the maintenance of what he is bound to consider as an act of schism; much less can he concur in shackling and weakening his own Church for this particular purpose". Again, in a letter to the *Orthodox Journal*[4] he asks, "what is more sinful in a member of the Catholic Church than to concur in maintaining another

[1] For example, we might draft a resolution something as follows:—

"That the English Roman Catholics are firmly persuaded that adequate provision for the maintenance of the Protestant succession of the Crown can be made consistently with language on the part of the King free of offence to the strictest Catholic, and any revision of the Royal Declaration founded on this basis of mutual satisfaction and security, and freeing them from the necessity of listening to words uttered by the King hurtful to their feelings, will meet with their grateful concurrence."

Such a resolution might imaginably have been proposed in recent years at a Catholic meeting, and it may be questioned whether any serious exception would have been taken to it. And if some person had raised the difficulty that Catholics ought not to "concur" in securing the Protestant succession, a theologian might have answered "we have nothing to do with securing the Protestant succession; that belongs to the province of the Legislature". Would this have been construed into an approval of the act of the Civil Government, or a co-operation with them? or would it not rather have been taken to mean simply "that is the affair of the Legislature," or "that is their department"?

[2] *Letter to a Catholic Peer*, p. 4. [3] P. 30. [4] January, 1814, p. 29.

which protests against it?" Later in the same letter he speaks still more strongly. He says that "Protestants were to make as many new provisions as they pleased for the maintenance of their Church, and this by undermining ours, without the possibility of our counteracting them, and even with the obligation of our concurrence with them in the attainment of their object". Indeed the most important difference of the sixteenth Irish Resolution, to be discussed presently, which was often compared with the Fifth English Resolution, was the omission of any reference to concurrence in accepting anything.[1]

With these preliminary remarks, we can now proceed to consider the wording of the resolution. It will be convenient to repeat the text of the essential part:—

"That the English Roman Catholics . . . are firmly persuaded that adequate provision for the maintenance of the civil and religious establishments of this kingdom may be made consistently with the strictest adherence on their part to the tenets and discipline of the Roman Catholic religion; and that any arrangement on this basis of mutual satisfaction and security and extending to them the full enjoyment of the civil constitution of their country, will meet with their grateful concurrence."

We can next give a typical explanation of the Resolution in the favourable sense, as given by Dr. Poynter in a letter to Lord Clifford, dated August 22, 1810.[2] This letter was written in order to be shown to Lord Grey, who expressed his acceptance of the interpretation put forward in it.

"Can any reflecting man understand these words" he wrote, "in any other sense than this: that Catholics are persuaded that it is possible for the legislature adequately to provide for the maintenance of the civil and religious establishments of this kingdom, without requiring of Catholics any conditions which

[1] It may be observed, however, in the Oath of the Irish Act of 1793, which Catholics took without question, there was a disclaimer of any intention to injure the Protestant religion which conveyed the same substantial idea:—

"I do hereby disclaim and disavow and solemnly abjure any intention to subvert the present Church establishment for the purpose of substituting a Catholic establishment in its stead; and I do solemnly swear that I will not exercise any privilege to which I am or may become entitled, to disturb and weaken the Protestant religion and Protestant Government in this Kingdom".

[2] *Archives of St. Edmund's College.*

are inconsistent with the strictest adherence on their part to the tenets and discipline of the Roman Catholic Religion. And that any arrangement which is founded on *this* basis which *satisfies* the consciences of Catholics, gives *security* to their religion and extends to Catholics the full enjoyment of the Civil constitution of their Country, will meet with their grateful concurrence.

"To me, my Lord, this appears to be the obvious and natural meaning of our 5th Resolution: this is the sense in which it was proposed to us by the Noble Lord who moved it, and by your Lordship who seconded it on the 1st of February: this is the only sense in which we understood and signed it.

"If it be true, as some people have asserted, that the noble Lords who are said to have penned this Resolution, had any arrangements in contemplation relative to a Veto, or to any measure inconsistent with the safety of the Catholic religion, we declare that no such arrangements were proposed to us; that we consider such arrangements as foreign to the obvious and natural meaning of the Resolution which we signed; consequently that we are not in any respect pledged to them; on the contrary, that by the very terms of our resolution we are free to reject them if proposed to us."

Two years later, when the matter was still being controverted, a further explanation was put forward, to which Lord Grey formally signed his name. It was in the following terms:—[1]

"That it was not even implied by the terms of the Fifth Resolution that Catholics should make any provision for the Protestant religious establishments of this kingdom, this being exclusively the province of the Legislature; nor that Catholics should concur in any direct or positive or active sense whatever in maintaining the different religious establishments of this kingdom, nothing more being implied or intended than the expression of a sincere disposition on the part of the Catholics to accept with gratitude such arrangements as should be formed by the legislature for their relief on the principle above stated.

"I can have no hesitation in subscribing my name to this as a true statement of the sense in which I understood the Fifth

[1] Several copies of this document are to be found in the various Archives.

Resolution of the English Catholics when it was originally framed in 1810.

"(Signed) GREY."

"PORTMAN SQUARE, *April* 28, 1812."

As a typical explanation on the other side, we can take one of the many written by Milner. We need not, indeed, take too seriously some of his rhetorical declamations, such as his letter to Dr. Douglass, in which he says that the Fifth Resolution was "expressly calculated to lay our Church, the inheritance of martyrs, bound and gagged under the feet of an hypocritical Protestant establishment";[1] nor his statement in his printed letter to Dr. Poynter: "I say that you have entered into a general pledge 'for the maintenance of the established religion of the country,' but without making any such condition for your own religion". We can quote an explanation from his letter to the *Orthodox Journal* already alluded to[2] which is in tone and substance quite typical of his usual writings on the subject. After quoting the terms of the Resolution, he proceeds as follows:—

"If any intelligent man, unacquainted with our controversies, be asked at the present day what is his sense of this passage, I am confident he will express it to the following effect: 'I understand by it that the provisions which Parliament is about to make for securing their own religion against the danger to be apprehended from your Emancipation are, in your persuasion, perfectly reconcilable with your tenets and discipline, and that you will concur in maintaining the former by adapting the latter to the purposes of it'".

Having explained the Resolution in this sense, Milner adds, "What could be more rash or dangerous in a conscientious Catholic than to express a conviction of this nature, without knowing . . . what these Protestant securities were to be?"

This last sentence brings before us the objection frequently raised, that the Resolution was "vague and indefinite"—an objection which certainly needs some explanation. The following passage from one of Dr. Poynter's letters to Dr. Troy will perhaps help to make us understand the nature of the objection, as well as Dr. Poynter's answer thereto[3]:—

[1] *Westminster Archives.* [2] January, 1814, p. 28.
[3] *Westminster and Dublin Archives.*

"If by *vague* be meant *general*, in this sense we might admit that the terms of the Fifth Resolution were vague, in like manner as are the terms of preliminaries of peace, or the first proposals made between two contracting parties. In this sense surely the Irish Prelates would not condemn them. But if by *vague and indefinite* be meant such loose unfixed unlimited terms as include whatever may be consistent or inconsistent with the integrity and safety of religion, in this sense it would not be true to say that the Resolution which we have signed is vague and indeterminate (or indefinite), since it is really *fixed and defined* by the terms of what *is consistent on our part with the tenets and discipline of the Roman Catholic Religion*, and of what *will give us satisfaction and security*."

It was a frequent complaint on the part of Milner and the Irish bishops that the vicars apostolic who signed the resolution were persuaded into it by the laymen. It seems well to point out therefore that on at least two subsequent occasions within the next four years,[1] when they had had leisure to study its wording, and when they were free from any interference of laymen, they deliberately repeated their adherence to it; and when the matter afterwards came before Rome, Cardinal Litta admitted that as it stood, apart from its history or circumstances, the Resolution was not unorthodox.[2]

When the Fifth Resolution is considered not as an isolated document, but in connection with the circumstances under which it was drawn up, those who objected to it had a better *prima facie* case. The Resolution was drafted, as we have seen, by certain Catholics, in consultation with Lord Grenville and Earl Grey. It was issued immediately after Lord Grenville's printed letter to the Earl of Fingall from which some of the very wording was taken, so that its meaning may reasonably be interpreted in connection with that letter: and that letter referred in explicit terms to the veto as one of the "securities" to be insisted on. Moreover, Lord Grey, when he made his speech in Parliament on the Catholic question a fortnight later, referred—though in somewhat vague terms—to the veto. Hence it was reasonable to suppose that this was one of the "securities" aimed at by the framers of the Resolution. If this was so, it was contended that it ought not to have been signed

[1] At the Durham Meetings of 1811 and 1813. [2] See Chapter XXIII.

until at least some pledge had been given that the conditions of the proposed veto were not incompatible with Catholic discipline; and indeed Milner, who was by this time opposed to the concession of *any* kind of veto, considered the Resolution essentially vitiated because it held out hopes of the veto at all.

The Irish bishops looked upon the whole matter under a further aspect, considering the letter to the Earl of Fingall as a formal reply to their anti-veto resolution sixteen months earlier. We can give their view of the whole matter in the words of Dr. Troy, in a letter to Dr. Poynter, under date November 16, 1810:—[1]

"The entire body of the Irish Episcopacy had publicly and solemnly decided on the subject of the Veto and other threatened innovations in the mode of appointing our Prelates. Some considerable time having elapsed, the letter of Lord Grenville appeared, avowing on his own part and on that of his Parliamentary friends, an unalterable hostility to that decision, and insisting on the admission of the Veto, together with other arrangements or changes of our Ecclesiastical discipline, as essential to the security of the Protestant establishments.

"While thus the Irish Hierarchy on the one part, and Lord Grenville with his formidable phalanx of adherents on the other, were completely at issue before the public, your Lordships thought proper to give the weight and authority of your names to a resolution contrived and modelled for the purpose by Lord Grenville himself, and prescribed as a set form for your adoption by an assemblage of laymen, all of whom as such were disqualified from judging in a question merely ecclesiastical, and of whom several who were the most active in the business, had been long distinguished for a laxity of principle and a daring spirit of innovation in matters of Religion. By subscribing to this Resolution, your Lordships pledged yourselves readily to concur in changes of Ecclesiastical discipline for the security of the above-mentioned establishments. Vainly had your zealous and enlightened colleague Doctor Milner recommended a communication with the Irish Bishops then assembling in Dublin; vainly had he prayed the respite of an hour that your Lordships might confer together on the subject. His advice and entreaties were equally disregarded.

[1] *Westminster Archives.*

"Such a proceeding, at such a time and under such circumstances could not be viewed in any other light than as a declared adhesion to the party of Lord Grenville, and an acquiescence as well in his designs on our Church discipline as in his attack on the decision of the Irish Prelates. In vain is it alleged in the confidential letters of your Lordships that the word *Veto* is not mentioned, and that the changes or arrangements are qualified by the term *Consistent with the safety and integrity of the Church.* For your Lordships will allow that the Resolution must necessarily be understood conformably to the known sense and intention of its author. Now it is notorious that the sole object of Lord Grenville in framing it was to contravene the former resolution of the Irish Prelates, in which the *Veto* had been rejected. And it is equally notorious that in the language of that nobleman and his adherents, the alleged words *consistent with* and so forth, far from excluding the Veto, are attributable to and descriptive of that measure. It is equally useless to plead the term, *mutual satisfaction*, as from the first proposal of the *Veto* to the present time your Lordships have uniformly refrained from any public hint of disinclination to grant it: and as these words also, *mutual satisfaction*, are sufficiently explained by their noble author, who in the same breath declares that your resolution is *satisfactory* and that with nothing short of the *Veto* can he be satisfied."

In order to form a judgment on the force of this argument, we will give the full context[1] of that part of Lord Grenville's letter which bears on the veto, and which was alluded to in a former chapter; and also an extract from Lord Grey's speech.

Lord Grenville wrote as follows:—

"With the just and salutary extension of civil rights to your body must be combined, if tranquillity and union be our object, other extensive and complicated arrangements. All due provision must be made for the inviolable maintenance of the religious and civil establishments of this united kingdom.

[1] Milner gives a quotation from this letter in his *Supplementary Memoirs* (p. 142), but he omits several intervening sentences which in some cases modify the sense. It has been thought well therefore to give the passage in full. The whole letter is given in the Appendix to the third volume of Francis Plowden's *Ireland since the Union.*

Much must be done for mutual conciliation, much for common safety; many contending interests must be reconciled, many jealousies allayed, many long-cherished and mutual destructive prejudices eradicated.

"Such at least have always been my declared opinions. When this matter was last under the consideration of Parliament, I had occasion to dwell with particular earnestness on this necessity; I invited the suggestions of others for providing for it; and I enumerated several measures which eight years before had been in the contemplation of Government, in conjunction with which I then cherished the vain hope of rendering this great service to my country.

"Among those measures I pointed out the proposal of vesting in the Crown an effectual negative on the appointment of your Bishops. That suggestion had previously been brought forward in the House of Commons to meet the just expectations, not of any bigoted or interested champions of intolerance, but men of the purest intentions and most enlightened judgment,—men willing to do all justice to the loyalty of your present Bishops, yet not unreasonably alarmed at any possibility by which functions of such extensive influence might hereafter be connected with a foreign interest, hostile to the tranquillity of your country. A danger recently very much increased by the captivity and deposition of the head of your Church, by the seizure of his dominions, and by the declared intention of that hostile Government to assume in future the exclusive nomination of his successors. The suggestions thus opened to Parliament, produced these impressions highly favourable to your cause; it was received as the surest indication of those dispositions without which all concession must be nugatory, and all conciliation hopeless. To my mind it had been recommended by long reflection. It had formed a part of the original conception of those measures as consequent upon the Union. It was now again brought forward with the concurrence of two individuals,[1] from whose opinions those generally prevalent among your body might be best inferred; of the agent of the very persons to whose office it related; and of your Lordship, to whom in addition to every other claim to

[1] The Earl of Fingall and Bishop Milner. The reference is of course to the debate of 1808.

respect and confidence, the exclusive charge of the petition had recently been committed."

Here we have of course a very definite reference to the veto. A few paragraphs farther on we come to the phrase which reappears in the Fifth Resolution. It should be noted that Lord Grenville disclaims the necessary reference to any particular form of veto. Having alluded to the unfortunate reception which the general scheme had met with among the Irish people, he continues:—

"Let me not, however, be misunderstood. When I speak of the necessity of combining with the accomplishment of your wishes provisions of just security to others, I am no less desirous of consulting every reasonable apprehension on your part.

"To the forms indeed of these securities, or to the particular details of the proposed arrangements I attach comparatively little importance. A pertinacious adherence to such details in opposition to even groundless prejudice I consider as the reverse of legislative wisdom. I look only to their substantial purposes; the safety of our own establishments, the mutual goodwill of all our fellow subjects, and the harmony of the United Kingdom.

"That adequate arrangements may be made for all these purposes consistently with the strictest adherence on your part to your religious tenets, is the persuasion which you have been long labouring to establish, and of which I have uniformly professed my own conviction.

"Were it otherwise I should indeed despair. But that these objects may be reconciled, in so far at least as respects the appointment of your Bishops, is known with undeniable certainty. It is proved by the acquiescence of your Church in similar arrangements under other Governments, by the sentiments which many of yourselves still entertain as to the proposal suggested in 1808, and most of all by the express consent formally given to that proposal in a declaration signed by the most considerable of your own Bishops."

With respect to Lord Grey's speech in the House of Lords, it is not quite clear what he did say, or what he meant to say; for according to Butler,[1] when his speech was to be printed, he

[1] IV. p. 286: Milner asserts (*Sup. Mem.*, p. 164 *seq.* and elsewhere) that the changes were made by Charles Butler himself, and boldly heads the section

was kind enough to correct the proof, and struck out the reference to Lord Grenville's letter, to which Milner took exception. Even as Milner prints it, there is some ambiguity. He took his account from the *British Press*, a morning paper, according to which Lord Grey spoke as follows:—

"In extending to [Catholics] the enjoyment of civil liberty, I consider it as not existing in an exemption from all restraint whatever, but from all restraint other than what the common interest and safety of our own establishments essentially and indispensably require. With regard to the other considerations I am content to refer myself to the excellent letter of my noble friend, to every letter, principle and word of which I beg to be considered as implicitly subscribing."

From this we are left a little in doubt whether the limiting words "with regard to other considerations" are intended to apply to the last sentence, or whether Lord Grey's adherence to the letter of Lord Grenville comprehends the whole of that letter. But whatever Lord Grenville had originally intended, as matters turned out, we cannot escape the repeated declaration of Lord Grey that the Catholics had not in effect pledged themselves by the Fifth Resolution to accept any kind of veto. Even Milner admitted, and indeed admitted in express terms, that no actual pledge had been given, though he based his admission on the contention that the Catholics had been deceived as to its true meaning, and had only bound themselves according to the Resolution as they understood it. He says:—[1]

"Whatever the natural sense of the Fifth Resolution, and in whatever sense it is understood by the legislature or others, it is not in point of fact a pledge or promise on the part of English Catholics at large, or even of the greater part of the subscribers to it, and least of all on the part of the three Vicars Apostolic and their two Coadjutors, to approve or accept of any civil control over the appointment of Catholic Bishops, or of any other Parliamentary arrangement regarding the economy and concerns of our holy Religion."

We naturally ask after this, wherein Milner considered that

"Falsification of Lord Grey's Speech". He does not give any evidence beyond the existence of the discrepancies, and a statement on the part of "a well-informed M.P.".

[1] *Instructions to the Catholics in the Midland Counties* (1811), p. 37.

the danger of the Resolution lay? If after signing it, those who did so felt free to oppose the veto as before, what evil effect was thought to follow from their having done so? This question was never directly put, at least not in that form, and consequently was never answered. Perhaps we may analyse the answer which would have been given thus. It was known that Government were anxious to impose the veto on Catholics of the United Kingdom; but they did not venture to say so too openly, owing to the excitement caused in Ireland on the previous occasion of its mention. They therefore adopted a diplomatic course, and took English Catholic laymen into their confidence. They succeeded in winning them to their side, and using them as tools, proposed to them a Resolution for formal adoption. They gained their point: the English bishops were persuaded to sign and did sign it. Hence it might be supposed that the Government would be emboldened when preparing an Emancipation Bill to insert a form of veto, trusting that they would be able to obtain the consent of the bishops by the same method again. Milner maintained to his dying day that the Government would never have ventured to insert the objectionable clauses in the bill of 1813, which we shall have to consider presently, had they not succeeded in securing the acceptance of the Fifth Resolution in 1810.

As against this view, the other party contended that they had made it sufficiently notorious that in signing the Resolution they had accepted it only in the natural sense of the words, without any reference to the veto, and that their Parliamentary friends must be aware, as Lord Grey was, that this was so. Two years later Dr. Poynter had an interview with Lord Grey, which he describes to Bishop Collingridge as follows:—[1]

"He assured me that he never would propose any conditions which are inconsistent with the principles or discipline of the Catholic Church. He acknowledged that we could not enter into any stipulation for the mode of appointing Vicars Apostolic, and said that he only wished to make some appearance to stop the mouths of those who would be ready to catch at any pretext for raising a disturbance, to guard against which he said was as much our interest as of Government."

Finally, it may be pointed out that Dr. Poynter and others

[1] *Westminster Archives.*

ever denied as persistently as Milner affirmed, that there was a connection between the Resolution of 1810 and the bill of 1813. Certain it is that—as Dr. Poynter noted—during all the long debates on that bill no speaker ever appealed to the Fifth Resolution in support of the restrictions therein proposed, or even in any way referred to it. And moreover, Lords Grenville and Grey, who were connected with the Fifth Resolution, were not in power in 1813, and had no hand whatever in the bill of that year.

We can perhaps with advantage now add a comparison between the Fifth Resolution of the English Catholics and the corresponding one of the Irish bishops, the history of which will be given in the next chapter. The essential part of the Irish Resolution was as follows:—

"We declare that no spirit of conciliation has ever been wanting on our part; that we seek for nothing beyond the mere integrity and safety of the Roman Catholic religion in its Christian faith and communion, and its essential discipline, subordination and moral code."

This resolution was drawn up by bishops, and its language is theologically more accurate than that of the Fifth English Resolution. There is no mention of concurrence, nor anything which could be construed into a definite allusion to the veto. We may compare the words "essential discipline, subordination and moral code," of the Irish Resolution with "the tenets and discipline" of the English. The vicars apostolic in defending the latter, criticised the Irish bishops for only defending the *essential* discipline, contending that among the non-essential was to be included such points as the celibacy of the clergy, or the Latin liturgy. This seems somewhat over critical, at least in view of what must have been the real intentions of those who subscribed to it; but if one is guided only by the intentions of the subscribers, it is hard to see any great difference between the two Resolutions, which confessedly both aimed at the same end—that of expressing the willingness of the Catholics in consideration of Emancipation to accept any reasonable terms not inconsistent with their religion. So much was this the case that less than two years afterwards, the majority of the English Catholic Board were willing to abandon their own resolution and put forward one almost identical

with that of the Irish bishops, as will be recorded in its place.

It is perhaps permissible in conclusion to question whether far too much importance was not attached to the whole subject of the Fifth Resolution. Milner never ceased to declaim against it for the remaining sixteen years of his life, and it is no exaggeration to say that he kept the memory of it alive when the whole incident would naturally have been long forgotten. Moreover, even if we admit that the Catholic Board should have consulted the bishops more than they did, they were nevertheless themselves anxious to do what was right; and if Milner, instead of declaiming against it as he did, had proposed such modifications as would have rendered it unobjectionable, he would in all probability have found the laymen ready to meet him in a reasonable spirit, and the most unfortunate strife which lasted for so many years, might have been in great part, if not wholly, avoided.

CHAPTER X.

SEQUEL TO THE FIFTH RESOLUTION.

As soon as the adoption of the Fifth Resolution of the English Catholics was known in Ireland, the whole country was put once more into a state of agitation. "From Cape Clear to the Giant's Causeway," writes Milner,[1] "nothing was heard but that the English Catholics had betrayed their brethren." The very word *veto* had already become hateful to Irish ears, and now it was freely said that the English Catholics had avowed themselves vetoists. Milner, writing a few weeks later, expressed himself in that sense. Referring to the signing of the Fifth Resolution, he says,[2] "I saw and urged the impolicy of the measure, . . . ridiculing at the same time the idea of our gulling the Irish into an opinion that the *Veto* was not contained in the proposed Resolution, and of our acting the part of a few tame decoy ducks, in order to lead an immense flock of wild Irish ducks into a snare prepared for both parties." It had been understood that nothing was to be agreed to without the concurrence of the Irish, and it was said that in spite of this the English Catholics had passed a vetoistical resolution to which their brethren would never agree. The "General Assembly," which had been postponed, was now held, at which "it was resolved to instruct the Secretary, Mr. Hay, then in London, not to make common cause nor to hold any communication with the English Catholics".[3]

The agitation continued for many weeks. On St. Patrick's day, at the Cathedral at Cork, the preacher—the Rev. John Ryan, D.D., a Dominican Friar—denounced the English Catholics, with the single exception of Milner, as a fallen Church, "The treacherous bargain," he said, alluding to the veto, "has been held out to our brethren of a neighbouring country.

[1] *Sup. Mem.*, p. 167. [2] *Letters to the Statesman*, p. 40. [3] *Ibid.*, p. 20.

They have received the advances of the seducer with servile complacency"; adding that "a single pillar of their little Church stands alone to uphold the tottering fabric"—this being of course Milner. He had his sermon printed and a very large number of copies were sold. A meeting of bishops was held in Dublin on Saturday and Monday, February 24 and 26, at which the following six resolutions were passed:— [1]

"1. That it is the undoubted and exclusive right of Roman Catholic Bishops to discuss and decide all matters appertaining to the doctrines and discipline of the Roman Catholic Church.

"2. That we do hereby confirm and declare our unaltered adherence to the Resolutions unanimously entered into at our last General Meeting on the 14th September, 1808.

"3. That we are convinced that the Oath of Allegiance framed and proposed by the Legislature itself, and taken by us, is not only adequate security for our loyalty but that we know of no stronger pledge that we can possibly give.

"4. That having disclaimed upon oath all right in the Pope or any other Foreign Potentate to interfere in the Temporal Concerns of the Kingdom, an adherence to the practice observed in the appointment of Irish Roman Catholic Prelates cannot tend to produce an undue or mischievous exercise of any foreign influence whatsoever.

"5. That we neither seek nor desire any other earthly consideration for our Spiritual Ministry to our respective flocks, save what they may, from a sense of religion and duty, voluntarily afford us.

"6. That an Address, explanatory of these our sentiments, be prepared, and directed to the Roman Catholic clergy and laity of Ireland, and conveying such further instruction as existing circumstances may seem to require."

The first of these resolutions is of course aimed against the Catholic Committee and Catholic Board, to whose interference the Irish bishops always traced the difficulties of their brethren in England. The next three explain themselves. The fifth is an answer to those to whom Milner alludes as saying that the Irish bishops and clergy were to be "taken into the pay of the Government" [2] in order to induce them to agree to the veto. Their resolution not to accept any salaries was

[1] *Elucidation of the Veto*, p. 52. [2] *Ibid.*, p. 13.

a bold one, inasmuch as it involved surrendering one of the grievances most frequently urged by Irish Catholics, that they had to pay for the support of two religions, which henceforth they could no longer urge.

The six resolutions were duly amplified, as arranged, into an address to the Irish clergy and laity. In this the bishops state that they discussed and decided them, "Invoking the name of Christ and having only God before [their] eyes". The address contained sixteen headings or resolutions, the last of which became the centre of much discussion, and must accordingly be given in full :—[1]

"That as to arrangements regarding our Church and said to be intended for accompanying a proposal of the Emancipation of the Irish Roman Catholics, prudence and a regard for our duty forbid us to pronounce a judgment; whereas those rumoured arrangements have not been ascertained by us through any channel.

"However, we declare, that no spirit of conciliation has ever been wanting on our part; that we seek for nothing beyond the mere integrity and safety of the Roman Catholic religion in its Christian faith and communion, and its essential discipline, subordination and moral code:

"Nor may we be justly reproached for our solicitude in guarding those sacred things, for which we are bound to watch, and bear testimony with our lives if required."

This resolution was often compared with the Fifth Resolution of the English Catholics, and in this connection its meaning has already been discussed in the last chapter. Though rather more carefully worded, to a lay mind it appears very similar, especially if only the essential part—the middle paragraph—was quoted, as was often the case. Milner maintained that where only that part was quoted, this was done on purpose to make it appear like the English Resolution, and a rumour actually went abroad that the Irish bishops had signed the "Fifth Resolution". In order to counteract this impression, Milner had the vote of thanks to himself, usually referred to as the Seventeenth Resolution of the Irish Bishops, printed. It ran as follows :—

[1] As originally passed, the whole resolution was continuous. It is here divided into three paragraphs for convenience of explanation.

"Resolved unanimously that the thanks of the meeting be and are hereby given to the Right Rev. Dr. Milner, Bishop of Castabala, for the faithful discharge of his duty as agent to the Roman Catholic Bishops of this part of the United Kingdom, and more particularly for his late Apostolical firmness in dissenting from and opposing a vague, general, and indefinite Declaration or Resolution, pledging Roman Catholics to an eventual acquiescence in arrangements possibly prejudicial to the integrity and safety of our Church discipline".

As this Resolution had not appeared in the edition of the Irish Bishops' Address which circulated in England, many people thought at first that it was spurious. The Board sent a formal letter to Dr. Troy, requesting to be informed whether Dr. Milner was still the agent of the Irish bishops, and whether the Seventeenth Resolution published by him was genuine. Milner characterises this as "an attempt to bully the whole Catholic Prelacy of Ireland into a base and immoral disavowal of their solemn synodical act, by testifying that their vote of thanks to their agent was a forgery,"[1] and he adds that Charles Butler was the only man in the Catholic body who could have been guilty of writing it. Surely he can hardly have meant this seriously. The letter was undoubtedly an improper one, written in regrettable language, characterising as it does the Resolution which they professed to think spurious, as "a libel, an awkward attempt of malice, published to forward dangerous views and scandals"; and it is conceivable that feeling uncertain as to whether or not it was actually spurious, they took the opportunity to express their opinions in a way in which they would not at other times have ventured to do. But the idea that they hoped to frighten the Irish bishops out of any position they had taken up must be dismissed as manifestly absurd. In the event, Dr. Troy sent a short official answer to the effect that the Resolution was authentic and had indeed already been circulated in Ireland; and there the matter ended.

The laymen of Ireland followed their bishops, and repeated their decision against any kind of veto. At a general meeting in Dublin, on March 2, Lord ffrench in the chair, Dr. Murray[2]

[1] *Sup. Mem.*, p. 169.

[2] Dr. Murray was consecrated as Coadjutor to Dr. Troy of Dublin in 1809.

informed them of what the bishops had done, when they passed the following Resolutions:—[1]

"That as Irishmen and Catholics we never can consent to any dominion or control whatsoever over the appointment of our Prelates on the part of the Crown or the servants of the Crown.

"That the thanks of the Committee are due, and are hereby given, to Daniel O'Connell, Esq., for his faithful discharge of the duty of Secretary."

Six weeks after this the General Committee added a further Resolution, apparently aimed against their bishops, or at least designed to keep them from repeating their former action in the matter of the veto. It ran as follows:—[2]

"That we feel it a duty we owe to ourselves and to our country solemnly to declare that the Catholic laity of Ireland never have directly or indirectly authorised any persons to offer through our friends in Parliament or otherwise, the conceding to the Crown any interference whatsoever with respect to the appointment of Catholic Prelates in Ireland."

In the same month (April) Milner published his *Elucidation of the Veto* from which we have already had occasion to quote. It is a pamphlet of sixty-two pages, covering all the ground of the late proceedings, and was written in his usual strong language. It is in three parts, addressed respectively to the public, to Catholics, and to members of the Legislature; and in it he formally retracts all his previous writings in favour of the veto, and characterises it as "an attempt to drive the Catholics into a downright schism and of course to destroy their character of Catholics." [3]

There was, however, an influential, though small party in Ireland in favour of the veto, consisting almost exclusively of members of the Catholic aristocracy, led by the Earl of Fingall. Among many pamphlets on the subject published at this time was one which defends this position under the title of *Columbanus ad Hibernos*. The true name of Columbanus was the Rev. Charles O'Conor, and he belonged to the family of which the O'Conor Don is the head. He was parish priest at Kilkeevin, Co. Roscommon; but in 1800 he obtained long leave of absence, to become temporary librarian to the Marquis

[1] *Elucidation of the Veto*, p. 61. [2] *Ibid.* [3] *Ibid.*, p. 19.

of Buckingham at Stowe, so as to pursue researches in Irish antiquities. The post gradually grew permanent, till after two years' absence his bishop called upon him either to return or to resign his parish. He refused to do either and appealed to Rome,[1] but being worsted in the appeal, he elected to continue at Stowe; and afterwards his researches led to his great work *Rerum Hibernicarum Scriptores Veteres.* Milner accused him of canvassing to be appointed Bishop of Elphin, when that see fell vacant; and asserted that his letter on the nomination of bishops was the result of his disappointment at not being elected. He replied by threatening an action for libel, though he did not go beyond the threat. Whatever the truth of this may be, certain it is that his pamphlet betrays unsound doctrine. He explains and limits the position of the Pope as head of the Church in the same way as Sir John Throckmorton; he does not, however, contend for a popular election of bishops, but for their nomination by the Crown; that is, he was willing to see the power of the Government go beyond a negative veto. As, however, that was not within the range of practical politics, he pleads at least for an "*effectual* veto," though he explains that this does not necessarily mean an *unlimited* veto.

Milner considered the pamphlet as unsound, and as Stowe was on the borders of the Midland District, he gave notice that Dr. O'Conor was not to be allowed to exercise any spiritual function in case for any reason he came into the Midlands. Dr. Douglass, on the other hand, thought it prudent not to proceed to extremes, especially as Dr. Poynter said that it was difficult to find a passage which was definite enough to declare as actually heretical. Here therefore was another source of disagreement between Dr. Milner and Dr. Douglass. Dr. O'Conor, however, soon solved the difficulty by writing further pamphlets which became more and more heterodox, as well as being filled with low abuse. His chief venom was poured out against Milner. He speaks of "the incoherent and insipid effusions of the indigested malignity of the Bishop of Castabala"; and his "sanctified malice to smother truth as Herod destroyed the Innocents". He calls him "a disgrace to

[1] See correspondence between Bishop Douglass and Cardinal Borgia (*Westminster Archives*). Dr. Douglass at that time gave Dr. O'Conor a good character.

Christianity," and characterises his writings as "the assertions of a canting hypocrite, the fabrications of a knave"; and more of the same quality. In 1812 he was suspended both in the London District and by Dr. Troy of Dublin. He continued, however, for long afterwards to disregard his suspension.

We can now return to Catholic public affairs. The question of Emancipation came before the House of Commons once more in May, 1810. The usual motion was made to go into Committee, the proposer being Grattan. He was seconded by Sir John Coxe Hippisley, and they were followed by Lord Castlereagh, Mr. Canning, and others. But the feature of the debate was the speech of Mr. Ponsonby, in which he defended the statement which he had made two years before that Milner, on behalf of the Irish bishops, had offered the veto, by reading Milner's letter to him,[1] which had not before been made public. On a division being taken only 109 voted for Grattan's motion, while 213 voted against it, the adverse majority being thus 104. On June 6 Lord Donoughmore moved a similar resolution in the House of Lords, which was negatived by 154 to 58—majority 96.

The offence which Milner had given to the friends of Catholics in Parliament as shown by Ponsonby's speech made the leaders of the body anxious to dissociate themselves from him, lest their cause should suffer on account of what he had done. With this end in view, they took active steps, of which we can give an account from Dr. Douglass's diary:—

"1810. May 25. On this day Lords Shrewsbury, Stourton, Arundell, Clifford; Baronets Sir John Throckmorton, George Jerningham, Henry Englefield, with Mr. Edward Jerningham, Secretary, waited upon me and Dr. Poynter at my house by desire of the Board, to state that Lord Grenville and Earl Grey had complained to them that Dr. Milner had betrayed their confidence, published in print their recent communications with the Catholics, and that on this account they never would admit him to their confidence again, and that they required the Catholics to break off all communications with him (Dr. Milner) *in political matters*. Accordingly they (the above-mentioned noblemen, etc.) declared that they must break off all communications with Dr. Milner in *political*

[1] See p. 60.

affairs, and asked our advice, and wishing us, the Vicars-Apostolic and heads of the Clergy, to do the same. I answered Lord Stourton, who was the principal speaker, that we lamented that they had seen cause to make the complaint, etc. (for it could not be denied), but there being a great deal of delicacy in breaking off communication with a Bishop, as many persons might misapprehend the case, and imagine that communication with Bishop Milner was broken off not in political matters only, but also in matters regarding doctrine and discipline, we begged leave to write and take the opinions of Bishops Gibson, Smith, and Collingridge on the subject before we answered, etc. This was assented to without hesitation by the Noblemen, a form or substance of the intended letter was drawn up by Dr. Poynter, read in distinct terms with corrections to the noblemen, etc., and being much approved of, fair copies of the same were sent off on the 25th to Bishops Gibson, Smith, and Collingridge."

Soon after this, without waiting for the answers of the bishops, as they wished to publish something without delay, the laymen held another meeting, about which again we can quote Bishop Douglass's diary:—

"May 29. At a meeting of the Catholic noblemen and gentlemen at Lord Shrewsbury's, Stanhope Street, this day, the following resolution passed unanimously: 'That we do not consider ourselves as implicated or in any way responsible for the political opinions and conduct or writings of Rt. Rev. Dr. Milner, Vicar Apostolic of the Midland District'. This resolution has been printed in the *British Press* newspaper on May 31st."

Milner appears to have been much hurt by this resolution, and, as usual, traced it to Charles Butler. He wrote five letters to the *Statesman* newspaper about this time, concerning the general situation, and the greater part of two of them is occupied in arguing about the resolution of "this junta of lay Englishmen," as he calls them. He concludes this part as follows:—[1]

"Well, Sir, I forgive my deluded brethren of Stanhope Street: they were artfully inveigled to the meeting, without knowing why or wherefore they were called together (as some

[1] *Letters*, p. 29.

of them have owned to me) by my baffled, indignant foe; and they were scared out of their wits, as I observed before, by the echo, of the *Brutum fulmen* of Mr. Ponsonby's eloquence. In the spirit of forgiveness I abstain from calling upon them to publish their names; but I am sure the Public will not think I ask too much when I call upon the Resolutionists, as Gentlemen and as Men, to insist on my capital enemy's quitting his lurking incognito, and attempting in the face of day to justify the hasty vote into which, by himself and his agents, he has betrayed them. He is a writer by profession, and a lawyer, and he has heretofore received a large sum of money from them and the other Catholics in quality of their Agent: let them then require of him in a publication under his own name to prove that my political writings deserve to be censured, and his to be paid for."

Milner ends the letter by a long attack on Charles Butler which is only one of very many scattered through his writings. He accuses him of being the author of "the draft of a crippled Bill for the Relief of English Catholics, including an insidious heterodox oath and schismatical appellation, both of which, upon a full investigation of his arguments and mine, were rejected by Parliament". He says that Butler's *Red Book*, and the three *Blue Books* "have by the confession of every individual of the Catholic body caused more dissension, vexation, and real misery throughout it than all the books of controversy and invective which have been written against it from Fox's *Book of Martyrs* down to le Mesurier's present *Address* in answer to my discourse"; and calls him "the most dangerous enemy of the Hierarchy of his Church in modern times".

These letters were re-published by Milner in pamphlet form, which did not tend to allay the feeling against him. More important than the feeling among the laity was that among the vicars apostolic, which led to important consequences. The following extract from the diary of Dr. Douglass beginning under date July 16, 1810, gives an indication of their state of mind:—

"Bishop Milner had arrived in London that morning, and called first on the younger Mr. Weld, introducing himself with, 'I thought you would not shut your door against me'. Although young Mr. Weld was much displeased with Bishop

Milner, yet he received the Bishop with civility, and then they went together to Lord Clifford's. On Lord Clifford's arrival from Lady Dowager Arundell's they entered into very serious conversation. Lord Clifford represented to Bishop Milner the evil he had done by his letters in the *Statesman*, misrepresentations, falsehoods, etc. Bishop Milner bore all that Lord Clifford said without irritation.

"Bishop Milner hearing on Wednesday that Bishop Poynter was still in town, expecting that he (Bishop Milner) would call in Castle Street, he took occasion to call upon us at near ten o'clock at night of that day, the 18th. We entered on a most serious conversation, stated to him all our complaints of the injuries he had done us, Bishops and Vicars Apostolic of the London, Western, and Northern Districts, together with our Coadjutors. He denying some of the charges, defending himself on others, and declaring that he could die at this moment in the greatest peace of mind, etc., etc. He did not discover to us any sentiment or feeling of sorrow for what he had done, said or written. He has taken occasion of showing my last letter to him in the houses of those Gentlemen who have admitted him (for most doors are shut against him) and complained of it very much as being severe on him undeservedly."

In view of the attitude of self-defence adopted by Milner, the two London bishops next corresponded with their brethren in the North and West; and with their approval Dr. Poynter drew out a formal letter of complaint to be forwarded to Dr. Milner, which was signed by all the other vicars apostolic and posted on August 1, 1810. A few days later they sent a similar letter of expostulation to Dr. Troy and Dr. Moylan. We must consider these separately.

In the letter to Milner, they recited their usual grievances, complaining that he had misrepresented them to the public and still more to the Irish bishops, and had injured their characters to the serious detriment of their episcopal position and work, arguing the whole case out in detail. They concluded in the following terms:—[1]

"In compliance with our conscientious duty, we, your undersigned injured brethren, now call upon you by this secret letter

[1] *Westminster Archives.*

to do justice to our characters, and to repair the evil you have done in public and private by your false and unjust representations of our conduct. We require that you remove to the best of your power the prejudices you have excited or propagated against us in England and Ireland, and that you contradict or retract any statement which by you or with your consent or concurrence in any way has been or is to be sent to Rome, reporting us as having pledged ourselves to arrangements inconsistent with the faith, discipline or safety of the Catholic religion, or in any other respect injurious to our characters as Catholics and Bishops."

It will be seen that the tone of the bishops is imperious, and as Milner recognised that Dr. Poynter was the author, he was the less inclined to soften down his answer. Nevertheless, the nature of that answer fairly takes us by surprise. It is addressed to Bishop Douglass and covers fifteen closely written pages.[1] He answers point by point the different questions raised not only in the letter of the bishops to him, but also their letter to Dr. Troy; and ends with a personal attack of several pages on the whole administration of the London District. It is far too long to give *in extenso:* a short description, together with a few extracts, must suffice.

Milner begins by challenging the bishops to publish the letter. "Your letter professes to be private," he writes, "though some of your lay counsellors wished it to be public. I beg leave to observe that in case of your Lordship determining to publish it, I have not the slightest objection, as far as I myself individually am concerned." By the "lay counsellors" he of course means his usual bugbear, Charles Butler. He often accused him of composing Dr. Poynter's letters, and in this case he ends up with the lament, "That I should see the day when Catholic Bishops of this country employ lawyers to draw up their letters to other Bishops on ecclesiastical concerns!" He argues out the question of the Fifth Resolution once more, and the various other points raised. Then he begins his general attack on Bishop Douglass:—

"That your Lordship's character has greatly fallen off since the time that you opposed Mr. Charles Butler and his associates instead of consulting them, is as certain as that your

[1] *Ibid.*

Apostolical fervour has cooled since that time: but be assured that this falling off is owing to yourself or rather to your Co-adjutor's [Dr. Poynter] overstrained politeness to persons of rank and wealth, and his unbounded jealousy of and antipathy against me; it is not owing to my writings or speeches, either public or private. I know that the laymen, both Catholic and Protestant, ascribe the votes of the Irish Bishops and the whole of that overwhelming opposition which they experience to my writings and influence. This is paying me too high a compliment. Were I to do what your Lordship has done, I might indeed procure for myself a salary at least equal to your Lordship's, and regain all that influence with the Great which you insultingly and falsely told me I was turned out of; but which I know (and God knows) I cheerfully abandoned and fled from; but, my Lord, I could not materially serve the cause of your reputation. This must be regained by your own acts and deeds, as it has been lost by them."

After three more pages of fault-finding, Milner concludes:—

"Thus, my Lord, from your timid, soft, and inactive conduct and language errors flow unopposed through the capital, and thence spread themselves throughout the kingdom; and laymen—even the laymen who have all along done such mischief—guide the Pastor instead of being guided by him."

We can well imagine the pain with which Bishop Douglass, then old and infirm, and verging towards the end of his days, read such words coming from one with whom he had formerly been intimate, and who had been—to use Milner's own words—his "old friend and trusted counsellor". He answered a few weeks later, as soon as his health permitted him, in the following terms:—[1]

"My Lord,

"Recovering from a relapse into my last year's illness, I take the opportunity this blessing supplies of acknowledging the receipt of a letter which you have addressed to me, and which you have written in answer to one addressed to you by us Bishops, your colleagues, *jointly*. On this account I beg leave to decline making any answer to the general contents of it. But to the personalities thrown out upon me individually,

[1] *Ibid.*

I will answer and say that I was greatly astonished and much grieved to find that a Bishop could emit them against a Brother Bishop, and sign his name to them. I pray our Divine Master to forgive you, and in obedience to His command, and in conformity with His own Divine example, I still continue to be, My Lord,

"Your sincere friend and humble servant,

"JOHN DOUGLASS."

"*October* 5, 1810."

Dr. Milner wrote to the other vicars apostolic, in answer to their joint letter, in terms hardly less strong than to Bishop Douglass. The following extract from his letter to Bishop Collingridge contains insinuations of seeking after money as the motive of his conduct:—[1]

"I have implicitly promised your Lordship," he wrote, "to do you all the justice which you can prove that I owe you: but be assured at the same time that not a hundred times the salary which is held out to you should bribe me to subscribe to the 5th Resolution, or should induce me to countenance even by my silence the attempts of those statesmen, who to raise themselves to power, have promised to lay our Church bound and gagged at the feet of a Protestant Establishment. That your courage is greatly cooled since you proposed to censure those Catholics who have twice republished the infamous Protestation is notorious; and that your character is greatly sunk in the estimation of Bishops and clergy and other Catholics of Ireland, etc., since the 1st of February, is equally well known. But after all, it is not in my power (let me do what I will, let me even sign the 5th Resolution, and write volumes in defence of it and you) to raise you to your former reputation in their minds; but it is in *your own* power"—and he calls on him to declaim against the veto and to give a public explanation of the sense to which he limits the Fifth Resolution.

After this, Milner did not hesitate to speak of his brother bishops in harsh terms. He called Dr. Douglass and Dr. Poynter "abettors of the beginnings of schism";[2] and said that he trembled for his *confrères*, whom he considered to be

[1] *Clifton Archives.*

[2] "Fautores schismatis incipientis"—see several letters in *Westminster* and *Clifton Archives* from persons to whom these expressions were used.

in a state of sin.[1] In the case of Dr. Poynter he went further still, and appears to have said that he was "leagued with the philosophers of the day, and the enemies of religion".[2] And he added that he expected that the Holy See would soon command them to withdraw their signatures from the Fifth Resolution.[3]

We come next to consider the letter which Dr. Poynter on behalf of the vicars apostolic sent to Dr. Troy as the representative of the Irish prelates. This was less imperious in tone than his letter to Milner, but not less argumentative in substance. After a short discussion on the Fifth Resolution, he proceeds :—[4]

"*We* have had nothing to do with the Veto but to condemn and reject it. Indeed for Vicars Apostolic as such to stipulate for a Veto, or to offer to the Crown any interference positive or negative in their appointment would be as absurd as it would be ineffectual. We lament that the Irish Prelates or their agent have had any concern in the Veto. And we think it particularly unjust that the odium of it should now be thrown from them who were concerned in it, upon us who grounded our resolution on the rejection of it.

"We cannot too much lament that by the 4th and 5th indefinite resolutions of the Irish Prelates in 1799 Ministers should have been taught that it is not contrary to the integrity and safety of our Church discipline that a Protestant Government should have a negative in the appointment of Catholic Bishops, and that in the letter of the agent of the Irish Bishops to a Parish Priest in 1808 the most powerful arguments that can be adduced in favour of this negative should have been so strongly maintained. How far these arguments were conclusive, we leave to him and his Constituents to determine. But we feel that whatever embarrassment we may experience on the subject, it may be ascribed to the said resolution of the Irish Bishops in 1799 and to the arguments adduced in favour of the Veto by their agent in 1808.

"We shall be happy to correspond with our venerable Brethren of Ireland on the concerns of our common religion.

[1] See Letter from Bishop Smith to Bishop Collingridge, *Clifton Archives.*
[2] Letter of Bishop Poynter, *Clifton Archives.* [3] *Ibid.*
[4] *Westminster Archives.*

But we must declare that we are in no respect subject to them; and that it is an usurpation of the jurisdiction of the Sovereign Pontiff and a violation of our rights for the Prelates of Ireland to judge us, or to hold us out to the public as guilty of a breach of our duty to Christ and His Church before we are canonically convicted."

A little later he continues:—

"We are at a loss to conceive on what Christian principle we are treated so contemptuously by the clergy of Ireland. If Ireland has preserved her Hierarchy, we think that she should return humble thanks for the grace by which she stands, not despise those who in the inscrutable judgments of God are fallen from that rank. The Hierarchy of England was not lost by us: we succeeded to the Government of our districts in their present form. We are Catholic Bishops, the Vicars and representatives of Pius VII."

In reply to this Dr. Troy wrote, stating that the Irish bishops had not claimed any authority over the English vicars apostolic; but that the Fifth Resolution appeared to them dangerous, and they were justified in warning their people as to what had taken place. And they could not do less (he said) than thank Milner for his exertions in their cause. With respect to the sermon of Dr. Ryan, he wrote:—

"His sermon referred to by your Lordship was preached in Cork soon after the meeting of English Catholics at the St. Albans Tavern, when the Irish Catholics were violent in their exclamations against their English Brethren, for precipitately adopting the Fifth Resolution without consulting them as their Board had pledged itself to do. The preacher ran with the popular tide, which flowed strongly here against any pledge to secure the Protestant religious establishment, or to adopt arrangements broadly hinted at in Lord Grenville's letter to Lord Fingall, and in Earl Grey's speech in the House of Peers: particularly as Lord Grenville and Lord Grey were known to have dictated the Fifth Resolution, in which something of a Veto kind appeared to be included."

Bishop Moylan's answer was more conciliatory, especially with regard to the sermon. He wrote:—

"I shall answer by saying that I never sanctioned or gave the least encouragement to that libellous denunciation or any

other; that I did not hear the sermon preached, nor ever read it or saw it or any copy of it; that I had no knowledge of what he had said against your Lordships in his sermon until I read the paragraph in your letter, and which I read with great disgust against the preacher for attempting to make use of the Pulpit of Truth and Charity for so very improper a purpose; and that had I known it in time, I certainly would have shown my displeasure as far as in my power."

He adds that Dr. Ryan had now left the Cork diocese, and Dr. Troy—himself a Dominican—had received him in Dublin. And he concludes with a prayer for unity:—

"I am most heartily concerned that in the most unhappy disputes that have lately risen, so much heat and so little discretion and charity have appeared in the publications at every side. The first and second of last February[1] I am sorry to say laid the foundation of them. Surely it is time that these uncharitable, and I must say scandalous divisions should subside, and union and brotherly love be re-established. As long as the Pastors are divided, their respective flocks must be scandalised. From my knowledge of Dr. Milner I am convinced he is disposed to contribute as far as in his power to a perfect Reconciliation—would to God that all those who cry out against him were equally disposed. Union and goodwill towards one another should at all times characterise and distinguish our body, but never more than in the present unhappy days when our holy Religion is so violently attacked on every side. May God in His infinite mercy unite us all in the bonds of Charity."

The correspondence between Dr. Poynter and Dr. Troy continued some weeks, the successive letters being almost repetitions of one another, except that they became more outspoken. Dr. Douglass took no part in the correspondence, partly because he was in very bad health at the time. We can, however, conclude this chapter by an extract from a letter which he wrote a little later on to the Bishop of Waterford (Dr. Power), which is of a more conciliatory nature than Dr. Poynter's, and which has an interest as being his own independent view of the Fifth Resolution. The letter is dated October 10, 1810.

"I am glad of the opportunity . . . ," he writes, "of ex-

[1] This should of course be January 31 and February 1.

Bishop Douglass

pressing the pleasure with which I read your letter against the Veto, which was signed *Fidelis* and written, as I was told, by your Lordship. I beg leave also to make use of this opportunity to express my sorrow that our Venerable Brethren in Ireland should have seen the Fifth Resolution signed by us in a light so very different from that in which we saw it, and still see it. We have not pledged ourselves to make arrangements for the maintenance of the Civil and Religious establishments of the kingdom: the Legislature will do that business: and as we know not at present what arrangements and provisions the Legislature will make for that purpose, we don't pronounce a judgment on them: but a spirit of conciliation never being wanting on our part, let the Legislature make such arrangements as are consistent with our strict adherence to the tenets and discipline of the Catholic Church, such as give satisfaction to our consciences and security to our holy religion; and our wandering brethren, the Protestants, will see that arrangements of such a nature will meet our concurrence. But if the Legislature make arrangements inconsistent with the strictest adherence to the tenets and discipline of the Catholic Church, such as give not satisfaction to our consciences and security to our holy Religion, we are free to reject them, and it will be found that we shall reject them."

CHAPTER XI.

CASE OF ABBÉ DE TREVAUX.

ONE of the most important matters discussed at the Synod of English bishops in February and March, 1810, concerned the Blanchardist Schism. After careful deliberation, the following resolutions, proposed by Dr. Poynter, were passed unanimously:—

"That a priest adhering to Blanchard or his system, should be required—

"1st. To acknowledge that Pope Pius VII. is head of the Church of Christ and legitimate successor of St. Peter.

"2nd. That Pope Pius VII. is neither a heretic, nor schismatic, nor the author or abettor of heresy or schism.

"3rd. That no person has jurisdiction in the respective districts of the Right Rev. Vicars Apostolic in England except by delegation from them or immediately from the Holy See.

"Resolved, that those who refuse to acknowledge the above articles be forbidden to exercise any ecclesiastical functions and to say Mass within the respective districts."

With characteristic vigour, Milner on his return home called upon all the French priests in his district to sign this test. He tells us that all of them (including one bishop[1]), did so, except one priest, who consequently left the district. He reproached Bishop Douglass for not acting similarly, accusing him of going back upon the resolution of the bishops. In truth, however, it was Milner who had gone beyond what was resolved. The wording of the resolution did not seem to contemplate that *all* the French clergy should be called upon to sign the test, but only those who were reasonably suspected of adhering to Blanchard. Dr. Douglass believed—rightly or wrongly—that very few priests were really Blanchardists. He had already suspended

[1] The bishop-elect of Moulins: see p. 84 note.

Blanchard himself and Gaschet, and had withdrawn faculties from the seven who openly supported them. It was doubtful whether any others stated in express terms that they supported Blanchard, and Dr. Douglass looked at the formula as one to be held in reserve in case there should be cause for its application.

Milner, however, continued to maintain that London was full of Blanchardism. He said that Blanchard himself made it a boast that his doctrine was preached openly; and that there was, moreover, independent proof of the truth of this assertion. When Dr. Douglass threw doubt on the fact, he answered with a piece of school logic, "How can any Bishop or other person prove a negative? that is, prove that schism has not been preached, unless they can swear amongst other things that they have heard every sermon?" He added his own view of the beneficial results likely to follow from vigorous action:—[1]

"Religion with God's grace, will be a gainer. The orthodox French will take courage to speak, which they have not dared to do hitherto except in private; the great number who were on the brink of schism will start back with horror, and the few obstinate schismatics will become known and marked as they ought to be."

But a deeper source of disagreement soon afterwards arose. The Bishop of Angoulême waited on Dr. Douglass once more in the month of June, to beg that the Rev. J. de Trevaux[2] might receive back his faculties, saying that he had given satisfactory proofs of his orthodoxy. He afterwards put into writing a statement of what occurred. The following is a translation:—[3]

"Monsieur l'Abbé de Trevaux, being attached to the principles of the Bishops of the Gallican Church, was begged and prayed by Monsieur Blanchard to be good enough to bear witness to this by his signature, which he was weak enough to consent to do, not thinking of doing anything more. But his astonishment was beyond all expression when the pamphlet of

[1] *Westminster Archives.*

[2] The spelling of this name varies in different documents—Trevaux, de Trevaux, des Trevaux, Destrevaux being all equally common.

[3] For the original French, see Appendix A.

M. Blanchard appeared, accompanied with the title 'Approbation, etc.'. At this M. De Trevaux called out that they had deceived him by hiding this title; that in adhering to the principles of the Bishops of the Gallican Church, he had been far from wishing to be wanting in respect to Mgr. Douglass, from whom he had never received anything but marks of kindness.

"Monseigneur the Bishop of Angoulême having explained all these circumstances to Mgr. Douglass, he was kind enough to authorise him to restore his faculties, M. Des Trevaux having been purged of this evident revolt against episcopal authority, for the Vicars Apostolic rightly do not pretend to be judges of so important an affair for the Church as the question raised between the Sovereign Pontiff and the Bishops of the Gallican Church."

It will thus be seen that Trevaux received back his faculties without himself signing any declaration whatever, solely on the assurances given by the Bishop of Angoulême. Moreover, the above statement of the bishop is somewhat vague. He lays stress on the "evident revolt against episcopal authority," that is, the signing of the "Approbation," as the cause of the suspension of the seven priests, and this position was accepted and always maintained by Bishop Poynter. He argued that by the very wording of the Approbation they had limited their approval to the two doctrines of the Divine rights of the episcopate and the duties of subjects to the king; so that according to this they had none of them committed themselves to the schismatical doctrine in other parts of the book.

It is possible that Milner may have seen the statement of the Bishop of Angoulême. If he did, he was justified in saying that De Trevaux had been restored on the strength of a personal apology to Bishop Douglass: for as the bishop's statement stands, it is nothing more. In Dr. Douglass's mind, however, it was interpreted in connection with the bishop's verbal declaration, and there is every reason to believe that Abbé de Trevaux did satisfactorily establish his personal orthodoxy and his freedom from Blanchardism. In the following year, indeed, he signed a statement which he sent to the Bishop of Angoulême, and which from that point of view was all that could be desired. The original never came into Dr. Douglass's hands, and it was never published; but a copy was

afterwards given to Dr. Poynter, and in order to understand the case, it is well to have it before us as evidence of de Trevaux's state of mind. The following translation of it[1] is taken from a letter from the Bishop of Angoulême to Dr. Poynter dated January 12, 1812, alluding to the fact that the statement had been written some little time previously:—

"I, the undersigned, certify that Monsieur Blanchard, knowing my attachment to the principles of the lawful Bishops of the Gallican Church, proposed that I should sign their defence, to which I consented, never having understood that I was to give my adhesion to anything except the doctrine of the Gallican Church, and by no means to any words injurious to the authority of our Holy Father Pius VII., whom I ever recognise as the lawful successor of St. Peter. Moreover I declare that if I had seen the title conceived in these terms, 'Approbation of the work condemned by Mgr. Douglass, etc.,' which title in truth was not there, and which indeed could not have been there, for the first line began at the very top of the page, I would never have signed, not wishing to be in any way wanting in respect to Mgr. Douglass, from whom I have received nothing but marks of kindness.

"Since that time I have only seen Monsieur Blanchard once, in the street, and he complimented me on my faculties having been restored without any retractation. I said I had done what I was asked by the Bishop of Angoulême, through whom my faculties were restored to me. I went on my way. That is the only time that I have spoken to him, not having since that time held any intercourse with him."

The bishop describes M. de Trevaux as old and feeble, with nothing left for him but to prepare for eternity, and bears witness once more to the Catholic orthodoxy of his sentiments, saying that if there were more like him the Church would not have fallen into the disastrous state which it was in at that time.

Returning now to the question of the renewal of his faculties, it must be admitted that there was more involved than his personal orthodoxy. He indeed declared that he had signed an approbation of Blanchard's doctrine as to the Bishops of the

[1] For the French original see Appendix A.

Gallican Church without knowing that his book had been condemned by Bishop Douglass, and not having any idea of approving unorthodox sentiments; but his signature had been published, and the question was whether some public withdrawal was not necessary for the sake of undoing the scandal which had been given; for while being personally orthodox, he might nevertheless have been afraid of falling out with his friends by publishing such disclaimer. The question was whether it was necessary to insist on his doing so.

Those who maintained that it was not necessary to insist on a public retractation argued that, (1) Trevaux could not retract what he declared that he never maintained, and what was not legitimately derivable from the wording of the Approbation which he had signed; (2) that from the fact that he was one of the seven who were suspended together, and that the other six remained under censure, it had become notorious that he had given adequate satisfaction; and (3) since this was notorious, it became superfluous to insist on a written retractation; for under similar circumstances Pius VII. himself had confirmed in their office some bishops and priests who had been "Constitutional," and therefore schismatical, without any written retractation, because it was notorious that on the signing of the Concordat they had made satisfaction. Three of these bishops were said to have denied having made any retractation at all; but they afterwards gave a satisfactory explanation to the Pope, and he did not insist on any written declaration on their part.

These reasons failed to satisfy Bishop Milner and many others, who denied that the satisfaction had been sufficiently notorious, and who also doubted Trevaux's personal orthodoxy. Their position was strengthened by the action of Blanchard, who published a work entitled *La Verité proclamée par ses Agresseurs*, in which he pointed triumphantly to the restoration of Trevaux without retractation as proof that Bishop Douglass had receded from his position, declaring that the Church which "has been afflicted and scandalised at that mass of interdicts and censures, and that exasperating and obstinate combination of so many Prelates to deny the truth of the evils which oppress her," now "rejoices like the Angels in heaven at the happy return of one of these Prelates". He also wrote

letters to the same effect to the newspapers, especially to Peltier's *Ambigu*, the organ of his party.

Blanchard's letters to the *Ambigu* appeared in the spring and early summer of 1811, at which time Dr. Douglass had a recurrence of his illness, and his state caused considerable anxiety. He recovered, however, for the time and went into the country for his convalescence, staying with his brother who then lived at Ealing. Whilst there, he was suddenly called upon to confront a double attack, from Milner and the Irish bishops respectively. Milner's letter, dated June 29, 1811, arrived first.[1] It took the shape of a formal remonstrance on the restoration of faculties to Trevaux, which he said he had a right to make, in consequence of the unity of the Church, Christ's mystical body. After reciting his cause of complaint, speaking of himself in the third person, he concludes with the following words:—

"He hereby protests against the said admission as an injury to the Communion of the whole Catholic Church, and especially of its Prelates and Sovereign Pontiff; as a desertion of the unanimous resolution of the four Vicars Apostolic assembled in Synod on the 24th of February, 1810, and as an act fautoring[2] and increasing the fatal schism of Blanchardism, which is so deeply rooted and widely extended in this country. And the said undersigned Prelate doth hereby once more call upon and exhort his Venerable Brother of the London District to heal the wound which the Catholic doctrine and unity have received in this public admission of J. de Trevaux to the sacred ministry without any known retractation on his part, either by publishing such retractation, or by now publicly requiring him to make one; which remonstrance and charitable advice should the said Vicar Apostolic, together with his Coadjutor and his officials, disregard as he has so many former ones, he the undersigned for the reasons above mentioned will consider it his duty to circulate the same among his episcopal brethren as opportunity

[1] This and the following letters in the present chapter are all among the *Westminster Archives*.

[2] This word was coined by Milner, who frequently used it. It is taken from the theological term "fautor schismatis," meaning a favourer or supporter of schism.

may serve, and especially to make it known to the chief Pastor His Holiness Pope Pius VII.

"JOHN MILNER,
"BISHOP OF CASTABALA, V.A.M.D."

Dr. Douglass—as soon as he was well enough—answered briefly:—

"MY LORD,

"I have received your Lordship's letter. In answer to the same, I beg leave to observe that I did not consent to the restoration of spiritual faculties to the Abbé de Trevaux until I received such satisfaction as I deemed sufficient for what I did.

"I remain, my Lord, with every good wish,
"Your Lordship's friend and servant in J.C.
"J. DOUGLASS."

"EALING, 22*nd July*, 1811."

A few days later the following letter arrived:—

"MOST HONᴰ LORD,

"A rumour has long prevailed here that Rev. J. de Trevaux, a French priest in the London District, to whom your Lordship had denied faculties, or withdrawn them from him, for his having approved in a formal manner the schismatical propositions and doctrines of Rev. P. L. Blanchard likewise of the London District, which had been solemnly condemned by your Lordship and by the Irish and other Prelates, has been restored to the full exercise of the Sacred Ministry by your Lordship without his having retracted his said schismatical approbation.

"If the rumour only of this had excited a painful sensation amongst our brethren in this Kingdom, your Lordship will readily conceive their astonishment and concern reading a late *brochure* of the same Blanchard entitled '*La Verité proclamée par ses Agresseurs*,' in which he not only states the fact, but triumphantly concludes 'That his schismatical system is admitted by your Lordship in opposition to a *violent and obstinate combination of so many Prelates to deny the truth*'.

"As this obstinate man has published falsehoods on other occasions, we reasonably suspect that this impudent statement

is false and groundless; but think it necessary to ascertain the fact by requesting your Lordship to state distinctly in a reply to this letter, with which we expect to be honoured, whether spiritual faculties have been restored to Rev[d] J. de Trevaux and upon what conditions? that we may determine conformably to the practice of the Church whether we continue in Catholic communion with your Lordship and so many other Prelates who condemned Blanchard's doctrines and the approvers of them, as we most sincerely wish to do, or silently acquiesce in Blanchard's above-mentioned statement, and proclaim ourselves his partisans and the Abettors of Schism.

"I have the honour to be with great respect and equal esteem,

"Most Hon[d] Lord,

"Your Lordship's affectionate Brother and faithful

"Servant in Christ,

"J. T. TROY, ARCHBP. OF DUBLIN,

"for myself and on behalf of the Roman Catholic

"Prelates of Ireland."

"3 CAVENDISH ROW, RUTLAND SQUARE,
"DUBLIN, 30*th July*, 1811.
"RT. REV. DOCTOR DOUGLASS, LONDON."

This letter was in the first instance received and read by Bishop Poynter at Castle Street; and he took it to Ealing, where the two bishops discussed it. The following letter written by Bishop Douglass to his coadjutor will show how pained he was, and his anxiety himself to bear so far as possible the brunt of the attack:—

"EALING, 6 *Aug.* 1811.

"MY DEAR SIR,

"Remembering the very improper style in which Dr. Troy answered your letters in the last correspondence, I submit to you and our common friend if it may not be advisable to answer Dr. Troy's letter in my name as from me, being unable to write myself on account of my eyesight and general infirm state of health. In this way of writing I am the person to be blamed if offence is taken by the Archbishop, and not the Amanuensis. I also beg leave to say that I wish you to write with more than your usual mildness, *a soft answer*, etc.

That I was much surprised at the receipt of such a letter calling on me to say if I had required a retractation and threatening a break of communion. That I received such satisfaction before I consented to the restoration of faculties as appeared to me sufficient for what I did. That prudence advised us not to disclose the motives of this lenity of mine in order to avoid greater evils. That I should always be ready to give to my Superior the motives of my conduct: that if I have allowed faculties to be restored to one, the six others remain under the punishment of it: that I have not recalled my censure of Blanchard: that I trust no real cause has been given by me to make any of my Brethren break communion with me: that if I have been betrayed into an error in this act of lenity, the error was not wilful, and I hope will not be regarded by my Brethren in Christ as deserving of what would cause great scandal in these evil days, etc., etc. Our conversation, little as it was, will supply the rest when added to your own reflections.

"I hope you got home well. Everything kind to Messrs. Hodgson and Chamberlayne. Make use of the above if you do not disapprove of what I have suggested. I submit all to your judgment, and remain,

"My dear Sir,

"Yours sincerely

"JOHN DOUGLASS.

"It hurts me to think of your being in any way implicated in my conduct."

Dr. Poynter carried out the substance of his instructions in the answer he sent to Dr. Troy: but being convinced of the justice of his case, he paid less heed to the half-apologetic tone of Dr. Douglass's letter, and argued the matter point by point. With respect to the propriety of Dr. Milner and the Irish bishops interfering at all, he wrote:—

"As neither Dr. Milner nor the Prelates of Ireland have any jurisdiction over Dr. Douglass, we do not conceive that either of you have any right to call upon him to explain his reasons or the motives of his conduct in this affair, or that he is bound to answer such a requisition. Such interference where there is no superior jurisdiction on one side, or subordination on the other, would introduce confusion into Church

government, and render the Episcopal duties insupportable, and the exercise of them ineffectual. To the Sovereign Pontiff, to whom alone he is responsible for the government of the London District, Dr. Douglass is ready to explain his conduct."

A long and tedious correspondence ensued, carried out on both sides in argumentative form. All the letters or copies of them are preserved in the *Westminster* and also in the *Dublin Archives*.[1] They are but wearisome reading, and when the correspondence closed by Dr. Troy's letter of January 9, 1812, he remained convinced that Trevaux's faculties had been wrongfully restored, while Dr. Poynter continued to contend that the whole correspondence was an unwarrantable interference on the part of the Irish bishops in matters over which they had no jurisdiction. Dr. Poynter also had some correspondence with several other Irish bishops, with no better result.

Early in August Milner came to London, and he called at Castle Street in the evening of the 6th. Dr. Douglass was still at Ealing; but Milner had an interview with Dr. Poynter. In this interview he called upon him once more either to withdraw faculties from Abbé de Trevaux, or to produce his retractation, threatening definitely to "break communion" with him if he did not do so; and claiming that in the event of a schism he would have a majority on his side, for though he was disregarded in the Metropolis, he was more esteemed in the Catholic Church. Dr. Poynter answered in a very guarded manner, having determined—to use his own phrase—"not to commit himself with Dr. Milner". He would only see him in presence of a third person—in this case Rev. Joseph Hodgson—and immediately after the meeting, while his memory was fresh, he wrote a minute of what had been said.[2]

Notwithstanding his cautious demeanour, Dr. Poynter was really alarmed at the near prospect of a schism. Without troubling Dr. Douglass on the matter, he set out for the West of England to consult Dr. Collingridge, and from thence they both proceeded to Durham to confer with Dr. Gibson and his

[1] There are occasional slight verbal discrepancies to be found between the original in one *Archivium* and the copy in the other: but they are never sufficient to affect the general sense.

[2] The particulars given above are taken from this written minute of Dr. Poynter.

coadjutor. They found Dr. Gibson confined to his bed by illness; but he was able to discuss the situation and to give advice. A conference was held on August 29 and two following days, at which seventeen Resolutions were passed by the bishops "after mature consideration and having invoked the assistance of the Holy Ghost." These Resolutions will be found printed in full in the Appendix.[1] They cover all the ground of the late disputes about the Fifth Resolution, and the case of Abbé de Trevaux, on the usual lines, and also contain some additional declarations about the interference of other bishops in the Government of their districts. The bishops declare that their "only motive is to do justice to [their] own characters, and to repel the scandal that may arise to the faithful". All the four bishops present affixed their signatures; but the Resolutions were not published, nor even printed.

In addition to passing the Resolutions for their own guidance, the bishops likewise drew out a letter giving a short account of the disputes from their point of view, which they sent to Dr. Carroll, Archbishop of Baltimore, to be communicated so far as he judged wise, to the other American bishops.

After this they considered a letter which Charles Butler had written to them, defending himself against the accusations of Bishop Milner. In particular, he disclaimed having taken any part in preparing the celebrated "Protestation" of 1789, or of directing the counsel of Catholics secretly—as Milner was continually asserting—in more recent years. With respect to his own writings, he offered—should anything unsound or improper be contained in them—to retract it at once on its being pointed out to him.[2] He did not, however, ask that any action should be taken; so there the matter rested.

Before separating, the vicars apostolic drew up a conciliatory letter to the Archbishops of Armagh and Cashel,[3] in the hope that they might act as intermediaries and help to re-

[1] See Appendix D. The text of the Resolutions is among the *Westminster Archives*.

[2] The letter alluded to can be found in full in Butler, iv., p. 516. It is alluded to by Husenbeth (p. 249); but as he is evidently unaware of the meeting of vicars apostolic in 1811, he assumes that it is misdated, and refers to the meeting of 1813. He draws various conclusions about that meeting, which are consequently unfounded.

[3] The Archbishopric of Tuam was then vacant, since the death of Dr. Dillon in 1809.

establish a good understanding between the Irish and English bishops. In this letter we find the answer to a question which must have occurred to the reader; namely, what was the reason why Dr. Poynter so strenuously refused to enlighten the Irish bishops as to the nature of the "satisfaction" made by Abbé de Trevaux. We can understand his not wishing to publish it in London, so as to avoid raising controversies which it was hoped would die a natural death; but it is less easy to see why he should not have communicated all details confidentially to Dr. Troy, even although the latter had no absolute right to demand them, for the sake of satisfying him and his colleagues. Dr. Poynter here supplies the reply. He writes as follows:—

"Answers have been returned stating that Dr. Douglass had received satisfaction from Abbé de Trevaux before he consented to the restoration of his faculties. The conditions on which they were restored have not been explained, partly because Dr. Douglass is not responsible for the administration of his district to Dr. Troy or Dr. Milner; and partly because as Dr. Troy communicated every letter to Dr. Milner, there was good reason to think that Dr. Milner would publish the answers, and from our past experience of the effects of his misrepresentations, we all judge it unsafe to commit ourselves to him, or to make him the interpreter of our sentiments or conduct."

Later on, in the same letter, he adds:—

"Lamenting to see our conduct held out in so false and odious a light to our venerable brethren the Catholic Prelates of Ireland, we addressed private remonstrances and explanations to the Most Rev. Dr. Troy, in the hope of removing prejudices and preventing the evils we apprehended. Unhappily, our letters were sent by Dr. Troy to Dr. Milner, and we observed that between the receipt of our letters in Dublin and the date of Dr. Troy's answers there was always sufficient time for his Grace to receive instructions from Dr. Milner. Of course we had little to expect from our correspondence with Dr. Troy. We had hoped that his Grace would rather have consulted his own judgment than Dr. Milner, by whom our conduct has been misrepresented. This destroyed that confidence with which we wished to correspond with the Venerable Catholic Prelates of Ireland."

In order to send a suitable reply, the two archbishops assembled an informal meeting of bishops, at which Dr. Troy, Dr. Murray (his coadjutor), Dr. Moylan, Dr. Plunkett (Meath), and Dr. Archdeacon (Kilmacduagh)—making seven in all—assisted. The meeting took place on October 21, 1811, and the following resolutions were unanimously agreed to :—[1]

"1. That the Abbé Trevaux was guilty of a most scandalous overt act of schism, by publicly approving under his hand the schismatical production of Blanchard.

"2. That consequently he was highly deserving of the punishment inflicted on him by the Right Rev. Doctor Douglass by depriving him of his spiritual faculties.

"3. That this Prelate consistently with what he owes to religion and his own character and functions as a guardian of orthodox doctrine and ecclesiastical unity could not release the said Trevaux from the censure he had inflicted upon him unless he (Trevaux) by an act of retractation equally public as the one had been by which he approved schismatical doctrine, unequivocally and expressly revoked such approbation.

"4. As it does not appear from your Lordship's letter or otherwise that such a retractation has been made by the Abbé Trevaux, the Prelates are further of opinion that by his admission to the functions of the sacred ministry, Schism—though unintentionally on the part of Dr. Douglass—is openly countenanced, to the great injury of religion and Catholic unity.

"5. The Prelates are therefore of opinion that under these circumstances they as Catholic Bishops and of course as guardians of Religion and its interests *in solidum*, not only have a right, but are in duty bound to remonstrate against the conduct of a brother Bishop, though entirely independent of them.

"6. The said Prelates therefore humbly hope they will not give offence by requesting your common interference with Bishop Douglass to engage him either to dismiss from the sacred ministry the man who has so scandalously sanctioned a schismatical production, or to oblige him to revoke the approbation he gave of it by a public and solemn act of retractation."

[1] There are some slight verbal variations in the several copies of these Resolutions now extant; but the sense is the same in all of them.

CHAPTER XII.

ILLNESS AND DEATH OF BISHOP DOUGLASS.

THE last year of Dr. Douglass's life was one of sorrow and suffering. He never fully recovered from the relapse into his former illness in the spring and summer of 1811. After spending a few weeks during the hot weather at Ealing, he returned to Castle Street before the end of August, and never left his house again. Public events looked far from promising. Mr. Perceval was still Prime Minister, and the prospect of any legislation in favour of Catholics seemed as remote as ever. In the month of March of that year Blanchard had published his book *La Verité proclamée par ses Agresseurs*, to which we have already alluded, giving his version of the Trevaux case, and practically accusing Dr. Douglass of joining in his schism —an accusation which Milner and the Irish bishops took up and strenuously pressed. In the same year two other questions arose between him and Dr. Milner which further embittered their mutual relations, and caused additional sorrow to Dr. Douglass in his illness. These must now be shortly described.

The first concerned the funds of the English College at Douay. Most of these, having been invested in French securities, had perished at the outbreak of the revolution. The Roman pension, however, was continued until the French occupied Rome in 1798. It was paid regularly to the Rev. John Daniel, who was the last president; and with the approval of Mgr. Erskine, the Papal envoy then in London, he divided it equally between the colleges of Crook Hall in the north and St. Edmund's in the south, as the recognised joint descendants of Douay. It thus came about that the Midland and Western Districts obtained no share. The Western District had in any case little claim to anything, as the bishop was always

a "regular" and it had commonly been treated as on a different footing from the other three; but Milner considered that the Midland District ought to have its due proportion, although there was no theological college or seminary in the district—for at that time Oscott was only a school for boys. When he took over Oscott and made regular arrangements to have philosophy and theology taught there, he once more made an effort to secure compensation for the funds of which he declared he had been unjustly deprived. He contended that the Douay money ought to have been divided into three equal parts and that Dr. Douglass had no right to more than a third, whereas he had received half. Milner claimed the difference—that is, one-sixth—from Dr. Douglass. By rights he should have made a similar claim on Dr. Gibson, as vicar apostolic of the Northern District; but we do not hear that he did so, probably because he realised that it would have been fruitless; but he continued to write to Dr. Douglass urging his demand. He also wrote to Mr. Thomas Cleghorn, late procurator of St. Omer, then living at St. Edmund's College, claiming a share in the money which he believed to have come in on behalf of that college; but Mr. Cleghorn gave him no satisfaction.

Eventually, in order to secure peace, Dr. Douglass offered to refer the matter to arbitration. It was agreed that each bishop should nominate an arbitrator, and in case these disagreed they were to call in a third person to decide. The commission sat early in 1811. It is unfortunately unknown who were nominated as arbitrators; but whoever they were, they saw the matter in the same light. There was no disagreement; the decision was in favour of Dr. Douglass.[1] Milner was dissatisfied with the result, and afterwards appealed to Rome.

The other question which arose concerned the finances of Dr. Douglass. During his illness, he found that he was "in very narrow circumstances," as he expressed it, for the district had to be administered in the meantime by Dr. Poynter; and after he had drawn his travelling and other expenses, very little was left to provide for Dr. Douglass in his illness. In order to assist him in his distress, the laymen of the London

[1] See Appendix G (ii. p. 329).

District very properly came to the rescue. A meeting of Catholics was held at the Freemasons' Tavern on June 5, 1811, Sir John Throckmorton being in the chair, and a fund was set on foot. The subscribers included the Earl of Shrewsbury, the Earl of Newburgh, Sir Henry Englefield, Sir Edward Hales, Sir John Throckmorton himself, and about a hundred others. The chief ecclesiastical institutions also added subscriptions, St. Edmund's College contributing a substantial amount, and there were collections at all the London churches. By these means a considerable sum was raised. It was invested in the names of five trustees—the bishop, his vicar general, and three laymen—and brought in nearly £200 a year, which was more than double Dr. Douglass's previous income.

It is difficult to see at first sight, in what manner this could have seemed objectionable to any one. Before explaining Milner's objection to it, one further incident must be mentioned. During the previous year a rumour went abroad that the Government had offered, in consideration of the veto being accepted, to give an allowance of £500 a year to each of the vicars apostolic. The rumour was traced to a speech made by Mr. Henry Clifford at a Catholic dinner over which he presided at the Crown and Anchor, in March, 1811. His speech was reported in a periodical called the *Harp*. Mr. Clifford, on being asked, declared that Dr. Milner himself had told him. Under these circumstances, the other three vicars apostolic sent a formal denial of their having received any such offer from Government. Milner took offence at this, declaring that by omitting all reference to his name, it implied that he was ready to accept a pension.[1] He said that he had only heard of the matter as a scheme of Government, from Sir John Lawson—referring to the altercation at the dinner on the day of the signing of the Fifth Resolution. He accordingly published his own disclaimer in his printed *Letter to a Roman Catholic Prelate of Ireland*,[2] saying, "I will accept of money from no person whomsoever whilst my religion is exposed to its present danger".

This passage indicates the line of objection which Milner took to the new fund. He considered it a scheme of the Catholic laymen to control their bishop by threatening to stop

[1] *Explanation with Dr. Poynter*, p. 84. [2] P. 60.

supplies; and in proof of his contention he pointed to the fact that three of the five trustees were laymen. He calls it[1] "this unprecedented transaction"; "the masterpiece of Mr. C. B[utler]'s politics"; "the greatest victory he has ever obtained"; and so forth. He explains his views thus:—

"If the Bishops and the laity should differ about the threatened arrangements to be required of us for the maintenance of the Established Religion, or about the choice of a future superior of the London District, as others actually did on both these articles in 1790, it will be completely in the power of these lay subscribers, or rather of Mr. Charles Butler and those two or three other men who by their talents or other influence have always been able to carry whatever point they pleased and that almost *nem. con.* in a promiscuous assembly, to stop the main support of the said Vicar Apostolic."

As against this it can of course be pointed out that for long centuries the laymen had provided the only support that the bishops had to look to; and they had always kept the control of that support in their own hands. There had been occasional difficulties—as when Lord Petre stopped his allowance to Bishop Walmesley in consequence of the latter's refusal to comply with his wishes on an important question[2]—but these had been rare. They were indeed liable to recur; but if they ever should do so, the remedy would no doubt be found in some special measures such as were resorted to in the case of Bishop Walmesley. In the case of the London fund, the trustees had no legal power to withhold the income even if they had ever wished to do so, and both the bishop and the vicar-general being among them, they would always be able to see that the others acted according to their duty. Moreover it was not true, as Milner always asserted, that the fund was set on foot immediately after the signing of the Fifth Resolution. In point of fact, the original idea was due to the Rev. James Yorke Bramston, of St. George's Fields, who started the scheme in the autumn of 1808, and the first payments were made to Bishop Douglass in 1809. It was not, however, till 1811 that the appeal was made public. "I never conceived"—writes Mr. Bramston—"nor shall ever conceive that

[1] *Explanation with Dr. Poynter*, p. 89.
[2] See the *Dawn of the Catholic Revival*, i., p. 225.

the subscribers to the fund alluded to had any other object than honestly and liberally to attend to the wants of their pastor. The letters I am in possession of will ever sustain this opinion." Milner's accusation could not fail to hurt the feelings of poor Bishop Douglass in his old age and infirmity, the more so as he could not but feel that they constituted a gratuitous interference with the government of his district. It is needless to add that no difficulties of the kind ever occurred.

Still further trials awaited the bishop during the last few weeks of his life. In March, 1812, Dr. Milner printed and circulated another pamphlet against him and his coadjutor, which he entitled *An Explanation with Dr. Poynter.* It is difficult to determine the precise motive of this fresh attack. The reason given by the author was that Dr. Poynter in a letter to Dr. Troy had said that he reserved the right to publish his correspondence with the Irish bishops. It is not probable that he would have done so, but apparently Milner thought it wise to forestall him by giving his own account of the circumstances of the correspondence, and in the *Explanation* he gives long extracts from the letters—for he possessed copies of all of them. He did so with the knowledge and approval of Dr. Troy; but it is only fair to the Irish bishops to remember that their views on English Catholic affairs were all derived from one single source. In his letters to Ireland Milner wrote without restraint, in his most partisan style, and Dr. Troy accepted his accounts without question. Milner said it was necessary to refute "Dr. Poynter's insolent calumnies and sophistical misrepresentations," and that Dr. Poynter was "double-tongued," "certainly an insincere man and a fautor of schism," and the like.

Milner's pamphlet ran to 108 pages, and was dated from Wolverhampton on March 25, 1812. It gives a complete history of all the late disagreement between Milner and his colleagues, in harsher language than ever. He repeats no less than three times his assertion that Dr. Poynter employed Charles Butler to compose his letters to the Irish bishops, giving as his chief reason that "I myself saw him [Butler] sneaking away from No. 4 Castle Street in the dark two or three nights before the appearance of [Dr. Poynter's] printed

letter";[1] and he adds that the letters in question could not have been written by Edward Jerningham, as he would have written better ones. Now it is to be remembered that Bishop Poynter had before complained of Milner's statement that Charles Butler was his "lay counsellor" and composed his letters on ecclesiastical matters; and in deference to Dr. Poynter's categorical denial, Milner had retracted and apologised for his statement. Nevertheless he now repeated it, and when afterwards taken to task, replied that "the conviction had returned upon him".[2] Throughout the *Explanation* he continually contrasts himself and thirty Irish prelates with three vicars apostolic and "a young coadjutor"; and the synod held by the former with "a meeting in a tavern," which he once describes as "amidst plates and glasses"; and asks whether he should be expected to confess "that we, the Prelacy of the Church of Ireland, consulting during three days in a synod, have erred, while Dr. Poynter on a sudden has pronounced right in a tavern". Speaking also of Dr. Poynter's alleged support of the Blanchardists, he says, "I reduced your Bishop and yourself to the necessity of declaring yourselves openly in favour of the truth and unity of the Church, whereas you would have chosen to support them [Blanchardists] in the secret manner you have hitherto done"; and he quotes *verbatim* the resolution passed by the vicars apostolic at their meeting in 1810, complaining that it had not been adhered to in the London District.

Two remarks to which special exception was taken call for more detailed comment. The first was that while Milner himself was already fighting the battles of the Church, Dr. Poynter was only a "college usher". He even reproached him for the imprisonment which he and the other collegians of Douay had gone through, at the imminent danger of their lives, during the Reign of Terror. He was alluding to Dr. Poynter's statement that both he and Dr. Collingridge had been satisfied by the assurances given by the laymen at the meeting at the St. Albans Tavern; in answer to which Milner says:—[3]

"Alas! you two were both young in this kind of theologico-

[1] P. 19. The printed letter was his answer to Milner's *Letter to a Catholic Peer:* see p. 123.

[2] See Minutes of Durham Meeting, 1813 (*Westminster Archives*). [3] P. 20.

political business; had you been engaged in the scenes of 1791 (instead of being lulled into security by the assurances of a few aristocrats at Douay, contrary to the advice which I myself gave you, till Robespierre seized on all our common property there and yourself along with it), had you even perused the Blue Books you would have witnessed many declarations and expositions equally plausible, and sanctioned by the self-same authority, which though well meant, all proved illusory."

The other remark to be commented on occurs at the end of the postscript, which he concludes with these words: "With me stand the Prelates of the Church, with you the O'Conors, the Charles Butlers and the Blanchardists"—as insulting a remark as could easily be conceived, not only to Dr. Poynter, but to poor Charles Butler, whom he thus brackets with notorious heretics.

These quotations might be multiplied indefinitely: we will confine ourselves to one more which really gives the key to much of Milner's aggressive frame of mind at this time. It is as follows:—[1]

"The different wrong measures of my friend your V[icar] A[postolic] and yourself, which have been productive of so much dissension in the Catholic Church of the United Kingdom, and of such severe wounds to your character and feeling, as you pathetically lament in your different letters to Ireland, are clearly traced to that affectation of independency and superiority in consequence of the civil advantages of London, which has so long marked most of my friend's and your behaviour, an affectation which has been openly encouraged and promoted by certain intriguing laymen."

This passage naturally calls back to mind Milner's endeavours some years before to exchange places with Dr. Poynter. The fact is that although there was theoretically no subordination among the Vicars Apostolic, and they took precedence only according to seniority as bishops, in practice the London vicar, living in the capital, and coming into contact with the leading men of the day, acquired a position not altogether unlike that of an Archbishop or Primate. During the infirmity and still more after the death of Dr. Douglass, this position became even more marked, owing to the increas-

[1] P. 93.

ing experience and strong personality of Dr. Poynter. The other vicars apostolic, with the exception of Milner, practically acquiesced in this view; but Milner resented the fact that having fallen outside the confidence of the vicars apostolic, he had no voice in general ecclesiastical matters in England except such as he could secure by his frequent pamphlets and other writings, which pamphlets the others in turn resented. There was thus a constant source of friction between them which continually showed itself in one way or another.

As soon as it became known that Milner was sending copies of the *Explanation* to bishops throughout a great part of the Catholic world, the question arose whether for the sake of the good name of the English Catholics and their bishops —who were all more or less implicated in Milner's accusations —it might not be well to issue some answer. In the end a counter statement was drawn up by Dr. Poynter in Latin, and signed by all the vicars apostolic and their coadjutors. It took the shape of a defence against accusations, and dealt chiefly with the two points, of the Fifth Resolution and the Trevaux case. The whole mischief is traced to Milner's failure to obtain his transfer to London, since which time (it is said) he had not ceased to find fault with the administration of the District. On the whole, though written entirely from Dr. Poynter's standpoint, the language is not otherwise than moderate. Of Milner himself the judgment put forward is in the following words:—

"It is to be confessed that his writings carry with them a great appearance of zeal, vigilance, and Apostolic firmness. But it can be easily shown that his zeal is not always according to wisdom; his vigilance often extends itself to usurpation of another's jurisdiction; and that firmness which he so studiously extols, is not always accompanied by those virtues without which it cannot truly be called Apostolic."

Whilst this letter was being prepared, the Catholic question came again to the fore. So far as the English Catholics were concerned, nothing had been done in Parliament for two years. In 1811 the Irish presented their annual petition—as it now became—and Lord Donoughmore moved in the House of Lords and Grattan in the Commons, that it should be taken into consideration; but in each House the motion was rejected

by large majorities—121 to 62 in the Lords, and 146 to 83 in the Commons. Early in the year, in consequence of the permanent "illness" of the king, the Prince of Wales entered on his duties as Regent, and now in the following year—that is, 1812—the English Catholics determined to present an address to him in his new capacity. It took the shape of a representation of the grievances under which Catholics still suffered, notwithstanding their uniformly peaceful behaviour, together with a petition for relief. The signatories included Bishop Douglass, Bishop Poynter, seven peers, four sons of peers, four baronets, and about three hundred of the principal clergy and laity. It was presented at the *levée* at Carlton House on April 9. On the 21st, Lord Donoughmore moved the usual resolution on behalf of the Irish in the House of Lords, which was defeated by 174 votes to 72; while two days later a similar resolution moved by Grattan in the House of Commons was rejected by 300 votes to 215. Nevertheless, both debates were believed to have created a favourable impression. At a dinner given by Lord Clifford, Earl Grey and Mr. Elliott both expressed this opinion, and advised that the Catholic question should be raised again a little later, when the good effect alluded to had had time to spread.[1] Perhaps a more hopeful factor still in the situation was that the English Catholics gave a dinner to the delegates who had come over from Ireland. It took place at the Thatched House Tavern on April 30. The next day Sir George Jerningham wrote: "It went off extremely well, and I trust all animosity is now done away between the two bodies".[2]

The signing of the Address was the last public act of Bishop Douglass. His health was rapidly failing. In the early days of May he became worse. On the 7th, when the statement of the bishops against Dr. Milner's assertions was ready for signature, Dr. Douglass was dying and was unable to put his hand to it. He received all the last rites, and early the following morning, Friday, May 8, he calmly expired.

The funeral took place a week later. For the first time in our Catholic history it had become possible for a vicar apostolic in London to be buried with full Catholic ritual. High Mass of *Requiem* was sung in the Sardinian Chapel in Lincoln's Inn

[1] *Jerningham Letters*, ii., p. 20. [2] *Ibid.*

Fields—in which mission Bishop Douglass died—the celebrant being of course Dr. Poynter. That "chapel" is still well remembered, and we can picture to ourselves the scene. On the sanctuary were Dr. Collingridge and Dr. Smith, and no less than six French bishops.[1] The enclosed portion of the church was more than half occupied by the coffin, covered by a black velvet pall, with mitre, crozier and chalice laid thereon. The clergy, a large proportion of whom were French, were ranged on either side. The rest of the enclosure as well as the two galleries were occupied by many English and French Catholics of distinction, while the "body of the church," where there were no seats, was crowded. Among the most prominent clergy may be mentioned Rev. Joseph Hodgson, the vicar general, and the Rev. George Chamberlayne, the convert, these forming the household of the late bishop; the Rev. James Yorke Bramston, who was destined to be one of his successors; Rev. R. Broderick, head priest, and the well-known Dr. Rigby, both of Lincoln's Inn Fields; the Rev. Francis Tuite, afterwards vicar general and last titular president of Douay; Rev. James Archer, the well-known preacher, now becoming an old man; Rev. William Fryer, chaplain to the Portuguese Embassy; Rev. John Earle, chaplain to the Spanish Ambassador; Rev. Edward Norris of St. Patrick's, Soho; Rev. Joseph Hunt of Moorfields; Rev. James Delaney of Virginia Street; Revs. William Wilds and John Jones, known for nearly half a century as priests at Warwick Street; Rev. Edward Cullen, for many years priest at Brighton, and friend of Mrs. Fitzherbert; Rev. C. McDonnell, the Franciscan, of St. George's Fields; Abbé Chêne of King Street Chapel; Abbé Carron of Somerstown; Abbé Voyaux de Franous of Chelsea; Abbé Morel of Hampstead,[2] and Rev. Lewis Havard, who had been one of the original students to come from Douay to Old Hall, and who was to preach the sermon. Most of the chief Catholic laymen were present, as well as the Earl of Fingall, as representing the Irish Catholics, and Sir John Coxe Hippisley, with whom the late bishop had come into close contact for many

[1] The Bishops of Uzès, Nantes, Angoulême, Aire, Digne and Vannes.

[2] The last three names have been added although not in the official list; for it is stated that the principal French clergy were there, though none of their names are given except that of Abbé Chêne.

Sardinian Chapel, Lincoln's Inn Fields

years. At the end of Mass, Rev. Lewis Havard walked up the steps into the curious hexagonal pulpit, half-way up the wall, and delivered a discourse, which he afterwards published. He spoke feelingly of the labours of the deceased prelate during the twenty-two years of his episcopate, of the difficulties he had had to face in consequence of the ruin of religion caused by the great French Revolution; of the development of Catholicity in London by the opening of new churches and establishing works of charity; but the chief work of his life the preacher considered to have been the foundation of St. Edmund's College. "Among my reverend brethren and most dear friends whom you behold duteously gathered round the remains of our worthy prelate," he said, "many as well as myself have received the priestly ordination from his venerable hands, and have come forth to the vineyard of the Lord from his seminary: and it is to St. Edmund's College that we all looked for successors in our arduous and most painful labours. If our pastor could have had a favour to ask of us with his dying breath, it would have been that we should take this institution under our most anxious care: and if he be now arrived, as we hope in God he is arrived, at his crown in heaven, his zeal for religion is concentrated in fervent supplications for the prosperity of St. Edmund's College." The preacher then spoke of the poverty and self-denial of the bishop's daily life, and the patience with which he bore his long and painful illness, concluding with an earnest request for prayers for his speedy entrance into his rest.

The full number of absolutions were given by Bishops Collingridge and Smith, and the Bishops of Aire and Angoulême, the last one being given by Dr. Poynter as celebrant. The coffin was then put in a hearse, and taken to St. Pancras cemetery, where it was deposited in the Giffard vault, in which the bodies of two of his predecessors—Bishops Bonaventure Giffard and Benjamin Petre—already lay. No public Catholic service was possible at the grave; but apparently by the courtesy of the authorities the usual Protestant service was omitted, so that it may be said that the Bishop had a Catholic funeral throughout.

Ten days later a second Dirge and Requiem took place at the French Chapel in King Street, attended by all the French bishops and most of the clergy then in London, which was a

fitting end to the long connection which they had had with one whom they ever looked upon as their father and friend. The English vicars apostolic attended as before, and the Mass was celebrated by Dr. Poynter.

The absence of Bishop Milner throughout, though perhaps under the circumstances the wiser course, was none the less pathetic in view of his long friendship with Bishop Douglass in former years, and the many battles which they had fought together on behalf of religion during the first half of the latter's episcopate. Still more pathetic was Milner's letter some time after where he states that Dr. Douglass had become "a tool and pensioner" of the Cisalpine Club; and with extraordinary want of feeling asks "whether his Confessor acted kindly by him in permitting him to die under a synodical censure of countenancing schism, to the great injury of religion and unity".[1] He was of course alluding to the pronouncement on his action with regard to Abbé de Trevaux on the part of the Irish bishops, although indeed they had expressly excepted him from blame by their concluding words "unintentionally on the part of Dr. Douglass". Moreover, they expressly disclaimed any idea of having jurisdiction over the English vicars apostolic, which of course they manifestly had not. Whatever may be thought of the advisability of their resolution, it was meant for the guidance of their own flocks, and by no means as an act of authority over the English bishops. They would have been the first to disclaim the meaning attributed to them by Milner.

The body of Bishop Douglass remained in the Giffard vault at St. Pancras Cemetery for ninety-four years. At the end of that time leave was obtained to remove the remains of the three bishops who had been buried in that vault, and they were taken to St. Edmund's College. Bishops Giffard and Petre were re-interred in the chapel cloister, adjacent to the graves of the other vicars apostolic; but Bishop Douglass, being founder of the college, was placed in the vault under the sanctuary, where the former tomb was re-erected over him. A memorial slab on the wall of the sanctuary records the presence of the sacred remains below.

[1] See a letter from Bishop Poynter dated October 7, 1812, in the *Clifton Archives*, quoting Milner's letter of the 1st.

CHAPTER XIII.

RETROSPECT.

THE death of Bishop Douglass forms a convenient epoch for a short retrospect of the development of Catholicity during an eventful period. The second half of his episcopate, with which we are now concerned, began with the time when after a long interval the four vicars apostolic were once more united; and —in reality for the first time in their history—began to hold regular meetings at which all the four could be expected to attend. They began with a long "Synod" at Winchester and Old Hall, on the occasion of the consecration of Dr. Milner and Dr. Poynter in 1803, when they drew up rules for the conduct of the English mission which went under the name of the "Observanda". These consisted of a modification of the old "Monita" previously in force, which dated back to the episcopate of Bishop Petre. The new laws were signed by the four vicars apostolic, and a copy was appended to every priest's "faculties".[1]

It would appear that it was contemplated to hold a meeting annually. One was held at Castle Street in May, 1804, and a short one on May 19, 1805; but after this the differences between Milner and the other vicars apostolic became so pronounced that they hesitated to venture upon meetings. Milner was continually calling out for them; but the others put difficulties in the way, and in fact they did not meet again until the end of February, 1810, about a month after the signing of the Fifth Resolution, when they came together once more at Castle Street. After that there were several partial meetings of bishops; but the vicars apostolic of the four districts were never assembled again for fifteen years, until the year before Milner's death, when they met at the consecration of his successor.

[1] *I.e.* the papers required by a priest, to authorise him to hear confessions.

Among the questions discussed in 1810, the two most important—those of the veto and the Blanchardist schism respectively—have already been alluded to. Various other points were settled, such as the conditions for the "Eight Indulgences," the circumstances under which usury is lawful, various details about reserved cases, etc. The standing grievances of the Catholic soldiers having to attend "Church Parade" were also discussed, and the decision was necessarily that they could not attend Protestant services except under compulsion, and that in any case they must not join in the worship. The observance of the abstinence on Saturday as well as Friday, was likewise a matter for discussion. The rule for this still nominally survived, though except for the clergy, there were very few who kept it, and many thought that the time had come for abolishing it. This question had been raised three years before, when Dr. Douglass received a petition from the London clergy in favour of its abolition. He himself was in favour of this course, and both Dr. Gibson and Dr. Sharrock were willing to add their names to the petition, though they did so, as they said, only to avoid worse evils. Milner, however, made strong opposition. He stated his reasons in a letter to Dr. Sharrock, in the following terms:—[1]

"If there was any imperious call in London for the important change, ought not Bishop Douglass to have called a synod, in which alone the reasons pro and con could be properly discussed; or if a synod could not be held ought not *we* to have deliberated and decided upon the question in the best practicable manner? Instead of this Bishop Douglass has encouraged (for he promised in the first instance to send the Petition to Rome) the London Clergy to undertake our office, to deliberate and decide for us amongst the cups and glasses of the feasting party in Holborn upon this most important matter, which will interest the cause of Religion when we are in our graves. . . . The London clergy having made up their minds, or having been induced to sign the Petition in question, Bishop Douglass very decently desires the Bishops one by one to pin their judgment and authority upon the sleeves of a few of his clergy and to come in as seconds to their trans-

[1] *Clifton Archives*, Supplementary Volume. The letter is not dated, but its contents show that it was written in the summer of 1807.

acting of the most important concerns with the Holy See, and this he desires them to do without consultation amongst themselves, information of any sort conveyed to them, or even a sight of this London Petition which for anything we know, at least that *I* know, may be very improper and contain the most objectionable matter.

"So much, my Lord, for the mode of transacting the business: now for the business itself. I am not surprised that Bishop Gibson should condemn it; but I am truly surprised that condemning it, he should support it with his signature, as nothing is more evident than that if the Petition went up from the London clergy alone, it would be laughed at instead of granted by the Propaganda. Far be it from me to condemn all or the major part of the London clergy; but I believe the leaders in this business would be as glad to suppress the abstinence on Fridays as on Saturdays, and I do expect in a few years to hear of a petition to this effect. They are notoriously the men who profess a 'wish to cut off the externals of Religion,' to use their own language, 'in order to worship God in spirit and truth'. My answer to Bishop Douglass has been to this effect, that 'if I had been enabled to hear his and other bishops' arguments, it is possible I might have given up my own opinion, but being deprived of this advantage, I am conscientiously bound to follow it; and that this opinion is as follows: that the proposed great inroad into ecclesiastical discipline, and the wound thereby inflicted on the spirit of penance, will scandalise the pious without doing any good to the tepid'."

Notwithstanding Milner's opposition, the petition was sent to Rome; but owing to the disturbed state of the Eternal City, it did not come up for consideration. In any case, under the circumstances it could hardly have been expected that it would have met with success. Now, however, when the bishops had actually come together to discuss the question, Milner's chief objection was met. Nevertheless, it appeared that he was still averse to the proposition. In the end it was arranged that each bishop should prepare a statement with respect to the operation of the law in his own district, and that these statements should be sent to Rome as a basis of decision.

We can now turn our attention to the general development of Catholicity during the period under review. At the time

of Dr. Douglass's death the total number of Catholics in England was variously estimated between a quarter and half a million. Even if we take the lower figure, this shows an extraordinary increase during the previous quarter of a century. In 1780 Joseph Berington estimated the number at 60,000. Even allowing that his estimate was probably considerably too low, this still makes an increase of two- or three-fold.

It may be asked how this increase took place, for the number of conversions was never very large—certainly not large enough to account for such a rapid multiplication of numbers. The growth of population would no doubt be one source of increase. The influx of the French *emigrés* would also account for some thousands. For the rest, we must suppose that many who ought to have been Catholics at the earlier date were not known, either because they lived in towns or districts where there was no Catholic chapel, or because they were afraid to declare themselves, on account of the Penal Laws. The development of Catholic "chapels" in towns since the Act of 1791 was positively phenomenal. A writer in the *Orthodox Journal* in 1814[1] declares that since that date nearly 900 new Catholic chapels had been opened, which were mostly, he says, "clean, commodious and well built"; and it was found then, as now, that wherever a new chapel was opened a congregation soon grew up around it, and many unknown Catholics declared themselves. The great majority of the new chapels were in the North of England.

The above figures were independent of the chapels supported by the members of the Catholic aristocracy at their country seats. There were at that time seven Catholic peers, seventeen baronets, besides many among the untitled aristocracy whose names were known and honoured.[2] Of the latter the writer adds:—

[1] P. 34.

[2] The following is the list given:—

Peers: Earl of Shrewsbury, Viscount Fauconberg, Barons Stourton, Petre, Arundel, Dormer and Clifford.

Baronets: Sir William Gerard, Sir Edward Hales, Sir Henry Englefield, Sir George Jerningham, Sir Henry Tichborne, Sir John Throckmorton, Sir Edward Blount, Sir Windsor Hunloke, Sir Carnaby Haggerston, Sir Thomas Webbe, Sir Richard Smythe, Sir Richard Bedingfield, Sir Thomas Massey, Sir Thomas Gage, Sir John Lawson, Sir Henry Maire Lawson, and Sir Piers Mostyn.

Other families of distinction: Constable, Clifford, Weld, Howard, Plowden,

"There are about five hundred of these Catholic families, not inferior to many in the British Peerage in ancient, pure and noble lineage—some who can boast the legitimate Plantagenet blood—several who enjoy landed estates lineally transmitted since the Norman days and even the Saxon era. These, though not now titled, may be classed by the Herald amongst nobility. The heads of these families mostly live retired upon patrimonial incomes, varying in annual value from £1,500 to £25,000."

Speaking of the lower classes, he proceeds:—

"The inferior orders are little distinguishable from the corresponding classes of their Protestant neighbours (or *Churchmen*, as they are termed). Here the broad features of distinction almost disappear. Industry, association, necessity obliterate the characteristic traits. Generally speaking they are little farmers, shopkeepers, artists and labourers—decent, humble, timid, shy and careful. It is supposed that they are rather more moral, regular, submissive and inoffensive than their neighbours, and also of a more sedate and stationary habit of life. Emigrations from their parishes, pauperism and crimes are said to be rare amongst them."

Then, as now, by far the most Catholic county was Lancashire; and the least Catholic part of the United Kingdom was Wales. The writer's remarks about the Principality may be quoted:—

"Wales affords but few Catholics,—a singular fact of a race in lesser points obstinately wedded to ancient usage. Wales, separated from England only by hedges and streams, remains profoundly ignorant of the English language, and clings to her own with all the jealousy of national pride. Yet Wales ceded her ancient religion (without scruple or hesitation) to a people whose language she still disdains to understand. She drinks with religious rapture of every stream that flows from English eccentricity; and neither the mummery of the Jumpers, nor the phrenzy of the Ezechielites, renders

Towneley, Jones, Stapleton, Carey, Stonor, Eyre, Heneage, Stanley, Turberville, Selby, Browne, Tunstall, Eyston, Errington, Chichester, Cholmeley, Giffard, Tasborough, Biddulph, Eccleston, Huddleston, Berington, Charlton, Dalton, Sheldon, Ferrers, Canning, Berkeley, Manby, Riddell, Darell, Fermor, Trafford, Weston, etc., etc.

the spiritual potion too muddy for the ardent enthusiastic Welshmen."

The Catholics still held themselves to a great extent aloof from the general life of the nation; though this was becoming less noticeable since the passing of the Act of 1791. A writer in the same publication,[1] signing himself "An English Catholic" recognises and laments this fact. "Of late years," he writes, "and since the repeal of the penal statutes, a much greater intercourse than formerly has taken place between Catholics and Protestants, especially those of the established religion. Of the Protestants, as they are Christians, I wish to speak with charity; as they are my fellow-countrymen, with respect; but pious and discerning men have lamented that this intercourse has been evidently prejudicial to Catholics; has diminished the fervour of many; has caused several to walk with feeble and tottering step in the way of life, and drawn some entirely away from it.

"Would the intercourse above mentioned"—he asks—"be more frequent or more intimate in the event of Emancipation?" And he answers, "It does not appear to me that common rights and privileges would call together Catholics and Protestants more than business and society now do. I think that the sense of civil equality would lessen that involuntary deference to power and domination which at present in the behaviour of the Catholic approaches to timidity; we should hear no more of conciliating those who will never be conciliated while a rag of popery is left; of conceding to those who will be satisfied with no concession short of that of the Faith; of surrendering the outworks to those who aim at the demolition of the citadel.

"When the Government"—he continues—"shall concede to English subjects the unrestricted right of being of what religion they please, it is probable that there will be many converts to the Catholic Faith: the scales will be even, and truth only will be thrown into the balance. The sincerity of such conversions ought not to be doubted; for though popery no longer be discouraged by disqualifications, it will receive no encouragement; it will hold out no inducements of a temporal nature; it will even still be subject to disadvantages. Con-

[1] April, 1815, p. 148.

verts are proverbially zealous. They may have been badly educated; to the interior life of a Christian, to many of the peculiar virtues of our holy religion they may have been strangers: be it so; for this very reason their conversion is a subject of joy. For this reason, namely, because conversions are probable in the event of Emancipation, I trust your pious correspondent will have less dread of the consequences of that event."

The development of Catholicity in London and the home counties must now occupy our attention in detail. In London the influence of the French *emigrés* was still a dominant factor. They formed a large portion of every congregation, while they still had three churches of their own—King Street, Conway Street (Fitzroy Square), and Somers Town. Abbé Carron still lived at the latter place, and his charities and other good works continued to thrive so long as he was there to carry them on—that is, until the restoration of the French royal family in 1814, when he returned to France.

Among these was a boarding school which he had opened primarily for French boys, but in which some English pupils were usually to be found. Theoretically the establishment of such a school was an infringement of the Act of 1791. Under ordinary circumstances there would have been little likelihood of its being interfered with; but an incident occurred which brought Carron in an unpleasant manner before the public. Among his pupils were two brothers named Butt, born of Protestant parents. It was arranged that they should attend all the Catholic services, as well as the religious instruction; but no effort was made to convert them. In the event, in the year 1806 the elder of the two, William Henry Butt,[1] two years after he had left the school, became a Catholic. His father was so angry that he turned him out of his house, and denounced Abbé Carron for having broken his agreement and proselytised. He appealed to Dr. Porteus, Bishop of London, for protection. The latter responded by requesting Dr. Douglass to look into the matter, threatening a prosecution.

[1] His younger brother, James Palmer Butt, also became a Catholic a little later, and was afterwards well known as the founder of the Preparatory School at Baylis House, near Slough. He was the father of Bishop Butt of Southwark, and grandfather of Dr. Joseph Butt, Bishop Auxiliary of Westminster.

The result of the inquiry was of course in Carron's favour. A formal statement was signed by W. H. Butt, the convert boy, in presence of two witnesses, to the effect that he had become a Catholic of his own free will, and that no pressure had been brought to bear on him by Abbé Carron, whom he had not seen or corresponded with since he had left his school. Dr. Douglass writes in his diary, under September 26, 1806:—

"The Abbé is justified or cleared; yet the Bishop persists in prohibiting his taking any more Protestant children into his school. The Bishop also inquired of me concerning our nunneries and monastic vows."

On this last point, the following letter of Bishop Douglass to Dr. Porteus is of interest:—[1]

"My Lord,

"I delivered to Abbé Carron the letter enclosed in that with which your Lordship honoured me last Saturday, and as the Abbé means to answer that letter, I will only beg to intreat your Lordship not to suffer Mr. Butt's denunciation to withdraw your favour from those retreats which a few ladies of our communion (for of men there is not one) enjoy in your Lordship's diocese. I remember with gratitude the very compassionate style in which your Lordship spoke of their sufferings, when I had the honour of waiting upon your Lordship to solicit your kind regard on the arrival of some of them at Hammersmith. Of these ladies, such as live at Hammersmith, and at New Hall in Essex, have opened schools. From these his Majesty's loyal Catholic subjects procure a virtuous education for their daughters, and I have never heard, nor do I believe that they ever have admitted into their schools the children of Protestant parents. The other ladies who are at Acton, and at Gosfield in Essex, live privately to themselves and to their God. They do not interfere with any persons out of their own houses, except to purchase from them the necessaries of life. They pray for the peace and welfare of their country and—I speak it with truth—they pray daily for his most Gracious Majesty, through whose humanity and charity

[1] A copy of this letter and the original of the answer of Dr. Porteus are in the *Westminster Archives*.

they possess their happy asylums. I confide none of these ladies have given offence and therefore supplicate a continuance of your Lordship's good will towards them, remaining,

"My Lord,

"Your Lordship's obedient humble servant,

"JOHN DOUGLASS."

Dr. Porteus replied as follows:—

"SUNDRIDGE, *Oct.* 23, 1806.

"REVD SIR,

"You need be under no apprehensions respecting those unfortunate ladies who were compelled to take refuge in this country at the time of the French Revolution. My sentiments of compassion for their unmerited sufferings are precisely the same as when I formerly conversed with you on the subject. So long as they conduct themselves quietly and discreetly and educate none but the children of Roman Catholic parents and do nothing in any other respect contrary to the laws of this kingdom, and the interests of the Protestant religion (which it is both my inclination and my duty to protect) they will have nothing to fear from me. But the event that has taken place in the school of the Abbé Carron renders it necessary for me to look a little more narrowly into the state of other Roman Catholic Seminaries and societies in my own diocese. It was with this view that I put to you the questions contained in my last, and as your answer does not fully satisfy all my enquiries, I must request the favour of another personal Conference with you at Fulham, when I return to that place, which I hope to do about the middle of next month.

"I have received the Abbé Carron's letter, to which I shall give an answer when convenient to me, and in the meanwhile you may acquaint him that I persist in my prohibition of his taking any more Protestant scholars or pupils.

"I am, Sir,

"Your very obedient servant,

"B. LONDIN."

It was soon after this that Carron conceived the idea of building a new church, to serve the wants of both French and English. He carried his scheme into effect and put up the well-known church at Somers Town which is still standing, and

is an interesting relic of Catholic London of that day. It is of the usual square shape, with a gallery at the back, but not at the sides. At the present day it looks quaint enough; but at the time when it was built it was justly considered a great achievement. The opening ceremony is thus chronicled in the diary of Bishop Douglass:—

"1808. April 8. The new chapel in Clarendon Square, Somers Town, was opened this day (Festum Septem Dolorum B.V.M.) with a solemn high mass. The Bishop of Rhodez sang the Mass, in Pontificalibus. Abbé Coulon preached. The chapel was much crowded. The choir of the Portuguese Chapel sang and a great number of Protestant nobility and gentry attended. Cards of invitation were sent to many Protestants as well as Catholics for the occasion. A large collection was made for the Chapel, to the amount of £120."

The music was probably of the florid type which then found favour. In this respect, however, Abbé Carron was more particular than many of his contemporaries. It is related that some months after the opening of his new church, the celebrated Italian opera singer Madame Catalani offered to sing at Somers Town, so as to attract a large congregation, for the benefit of the mission, but Carron thought that it was hardly proper for one who was so well known in the theatrical world to sing publicly in the church. He therefore declined the offer. Far from taking offence at this, she hired a small house and gave a *soirée*, handing the proceeds to the Abbé.[1]

At the beginning the congregation was largely, but by no means exclusively, French. At the end of Mass in accordance with the English usage, the prayer for King George was sung. For this Carron was denounced by some extreme French patriots in the congregation to Louis XVIII., then in England; but it is hardly necessary to add that he knew Carron too well to misunderstand his motives. As time went on, the congregation naturally became more English and less French.

Among the pupils at Abbé Carron's school about this time was one who was destined afterwards to exercise great influence in the Catholic Church in England. This was Margaret Hallahan, the future Mother Margaret, the friend of Bishop Ullathorne and foundress of the Dominican convents at Stone

[1] *Vie de l'Abbé Carron*, ii., p. 95.

and elsewhere. She was the child of Irish parents settled in London, and at an early age she became an orphan. We read in her *Life* that among her teachers was one Miss Trelawny, the daughter of Sir Henry Trelawny, a Cornish baronet. The story of this family is a curious one. At the age of seven the youngest daughter became a Catholic. Later on another daughter was received and married a Catholic. Finally Sir Henry Trelawny himself, who in earlier life had taken Orders in the Church of England, was converted. Lady Trelawny remained a Protestant, but in order to help her youngest daughter she took a house close to the church at Somers Town. In this house the well-known eccentric preacher Rowland Hill was a frequent visitor, and he was on good terms—as many Protestants were—with Abbé Carron. At this time Sir Henry Trelawny conceived an ardent desire to become a priest. His wife—although she had no leaning towards Catholicism—was a religious-minded woman and sympathised with his aspirations. She offered to help in any way possible, by renouncing her conjugal rights, and binding herself by oath to live a single life, if a dispensation could be obtained on those terms; but she was of course unable to enter a religious community, which is the condition ordinarily exacted in case of a married man being admitted to Holy Orders, out of respect for the priesthood. The question was whether under the unusual circumstances Rome would be satisfied with the guarantee she was able to give. Sir Henry Trelawny offered to establish a mission and build a chapel at his country seat, and himself to minister to the congregation.

The question was taken up by the vicars apostolic and warmly debated. In the end they referred the matter to Rome. In the Eternal City itself the case appeared a difficult one, and some time passed away before a decision was forthcoming. When it eventually came, it was to the effect that the Holy See was willing to dispense the lady from the ordinary obligation of entering a convent; but no dispensation of any kind could take effect unless she became a Catholic, as Protestants were not under the jurisdiction of the Holy See. Here therefore the matter rested for the time.[1]

[1] Later on, after the death of his wife in 1822, Sir Henry Trelawny was enabled to carry out his desire, and he was eventually ordained in Italy by

Carron's assistant priest, and afterwards his successor, was Abbé Nerinckx, a Belgian, who at the time of the Revolution had been deported to French Guiana. He escaped, and after a series of thrilling adventures, succeeded in making his way to England, where he was ordained priest by the emigrant Bishop of Avranches. He lived to minister at Somers Town for over half a century, and saw the congregation gradually become completely Anglicised.

Many of the French priests lived in the neighbourhood of St. George's Fields. The chapel in London Road, which they attended, was an unsubstantial building, and although at the time of Dr. Douglass's death it had not been built twenty-five years it was already seriously out of repair. A proposition was made in 1807 to build a chapel in Nelson Square to replace it; but the idea was abandoned, and considerable work was carried out in the existing chapel, including the gothicising of the arches, which appear in the well-known picture of the chapel.

Several new missions were established by French priests who remained in England. One of these was at Hampstead; but the chapel was not opened until after Bishop Douglass's death. The well-known Abbé Morel lived and ministered there until his death in 1852. Another excellent work was undertaken at Chelsea by Abbé Voyaux de Franous, whose distinguished figure was familiar at all Catholic gatherings for more than the period of a generation. He began his work at Chelsea in 1798, when he was accustomed to visit the patients at the Royal Hospital there, many of whom were Irish Catholics who had fought for England. In 1806 he took up his residence permanently at Chelsea, and opened a temporary chapel in a room. He then devoted his energies to collecting money to build a regular church. He also appealed with success to the French royal family, and to other French persons of distinction. By means of this help, and from other sources, including a large contribution from himself, he succeeded in

Cardinal Odescalchi on May 30, 1830. He was then seventy-four years old. He survived less than four years, dying on February 25, 1834. During his lifetime, the domestic chapel, which had been dedicated for Protestant use by his sncestor, Dr. John Trelawny, Bishop of Exeter, was converted into a Catholic chapel. After his death it reverted to its former use, and the Catholic mission was transferred to Sclerder, half a mile distant, where it still is.

Abbé Voyaux de Franous

building a church of considerable size, which is still remembered by many. It stood in Cadogan Terrace, and did duty for over sixty-five years, until it was replaced by Bentley's Gothic church now in use. The old chapel was opened in 1812; and it is worthy of remark that this was the first Catholic church in England which the soldiers were permitted publicly to frequent.

It is interesting to observe that one condition made by Abbé Voyaux de Franous was that there should be no lay Committee, but that the administration of the church should be vested in the bishop, under whom he would work. The reason no doubt was the difficulties between the Committees and the Chaplains which had arisen in several missions. During the next ten years his example was followed in most of the missions in which the Committees still survived, and before the end of Bishop Poynter's episcopate they had become obsolete.

Another new mission to be mentioned was established for the sake of the German residents in London. An old disused Dissenting chapel in Bow Lane, Cheapside, was purchased and converted into a Catholic church. It was solemnly opened by Dr. Poynter on the third Sunday of Advent in 1809.

In the home counties we find a new church opened at Margate in 1803, due to the generosity of Mr. G. Gillow, a member of the Lancashire Catholic family at whose house Mass had been said for some years past. At Brighton and Southampton also a mission had been established, partly in each case by the help of a French *emigré* priest.

At Winchester the mission so long connected with Milner's name continued; but his successor, Rev. John Lee, had apparently not kept the congregation together with vigour: at least, so Milner thought. He paid a visit to his old mission in 1809, and writes to Bishop Poynter as follows:—[1]

"I must now (under the seal of profound secrecy) tell your Lordship what I have frequently told Bishop Douglass, that I am shocked and disgusted at seeing the congregation which God was pleased to make so flourishing whilst I was at the head of it, now dwindle away to almost nothing. The chapel is empty, no conversions are made, the old Catholics neglect

[1] *Westminster Archives.*

their duty, the country round about is quite neglected, the very Masses attached to the place are almost all dispensed with, and the chapel which I built is sinking for want of repairs: and all this takes place after the salary which I received is almost doubled. Mr. Lee is a good man, but he has not the strength nor the resolution necessary for the Capital of all Hampshire. I may be allowed to speak not only as the trustee for the different properties of Winton, but as the very founder of many of its advantages. Bishop Douglass has repeatedly assured me that he would remove Mr. Lee, and he pressingly entreated me to get Mr. White[1] to accept of the place, which I accordingly did."

We will conclude this chapter with a remarkable story of a cure obtained at the renowned well of St. Winefrid at Holywell, in Cheshire, which is specially interesting as showing how the faith in prayer and the devotions of pilgrimages to holy places survived among English Catholics, even at a time when the habits of persecution days had caused their external devotions to be of a very restrained nature.

It is hardly necessary to give an account of the well itself, as it is known at the present day among English Catholics. It is sufficient to recall that St. Winefrid was a martyr of early Saxon times, and the tradition was that the well marked the place of her martyrdom. However that may be, it is certain that it was for many centuries a centre of pilgrimage, and many miracles were reported to have been worked through the saint's intercession.

The subject of the cure was one Winefrid White, a servant girl of twenty-six years of age, in the employment of a Mrs. Withenberry, who kept a shop in Salop Street, Wolverhampton. She entered her service in 1795. Sometime after this she gradually developed a disease which made her left leg almost useless, and caused her continuous pain. Her backbone used frequently to swell up, and when poultices were applied, there was a great discharge of matter. She became gradually incapacitated, and in 1802 she had to give up her work as servant, being allowed to remain as a boarder, as she was not expected to live long. On several occasions she received the

[1] Rev. Thomas White, the same priest who preached at Milner's consecration.

last Sacraments, but partially recovered, being able during such periods to get about by the aid of a crutch.

Whilst she was in this state she conceived the idea of making a pilgrimage to the shrine of her patron saint at Holywell; but it seemed an impracticable one, for it appeared hardly possible for one in her state of health to undertake so long a journey. However, she persisted in her wish. We can take up the narrative from a letter to Dr. Poynter, written by Rev. Thomas Walsh—afterwards vicar apostolic—who was at that time a master at Sedgley Park School, from whence he dates his letter on October 8, 1805:—[1]

"I first became acquainted with W. White in the month of last December, being called on to administer her the last Sacraments, as there was no priest at Wolverhampton, and she appeared to be on the point of death. She had before received the Viaticum five times and Extreme Unction four times. When I attended her, she was so weak that she was hardly able to articulate a word, and fainted away before I could give her Extreme Unction. I did not dare to leave her on that occasion till I had imparted to her the last blessing, as those who had seen her in her former sicknesses declared to me that she then appeared to be worse than ever, and that they did not think she could possibly live much longer. On that occasion she lost the use of her left arm. When she grew better and was able to speak, I was particularly struck to hear a poor devout maid express herself with sweet simplicity and even elegant manner, and was much edified at her pious sentiments and the patience with which she bore her sufferings; for though she was continually afflicted with violent pains, she never uttered a complaint: indeed she often expressed to me how willing she was to go through any trials it might please the Almighty to send her, and how happy she was to suffer for His sake. Hence though she had thought of going to Holywell a year before, she did not dare to propose it to her friends, fearful that her restoration to health might not be so pleasing to God as her suffering state. She told me that there was one favour she often had been envious of receiving before her death, and that was the sacrament of Confirmation, but that she was afraid that she never would be able to receive it in the chapel.

[1] *St. Edmund's College Archives.*

I accordingly applied to Bishop Milner, who administered it to her in her room, and who was much edified at her piety on the occasion.

"Some time before Whitsuntide she came for her health into the neighbourhood of the Park,[1] and as her desire of going to Holywell was stronger than ever, she at length came to the determination of advising with her friends on the subject. As I had somehow gained her confidence, she first opened herself on the plan to me: she told me that she was not at all desirous of being free from pain, but only wished to be in a situation to approach oftener to the Holy Communion and to work for herself, that she might not be a burden to others. I observed to her that I approved of her motives, but that I was fearful she would not be able to bear the fatigue of the journey, etc. I promised that I would consult with Mr. Perry[2] on the subject, and recommended her to beg the light of heaven by fervent prayer, and to offer up her next communion for that end, and then to follow the decision of her director, the Rev[d] Mr. Blount."

After much hesitation, it was decided to allow her to make the journey, though most of her friends thought that she would not return alive. The sequel can be given in the words of Dr. Milner, to which Winefrid White affixed her signature, in testimony of the accuracy of the description. He wrote as follows:—[3]

"She left Wolverhampton on the 25th of June [1805] by the Shrewsbury stage coach, and reached Chester by another stage coach on the evening of the following day; whence she got an immediate conveyance to Holywell by a return post-chaise, belonging to Mr. Price of the White Horse in the said town, arriving there very early on the ensuing morning. She says she suffered extremely during the journey and upon her arrival at Holywell; so that she began to apprehend the fears which her mistress had expressed of her not returning home alive would prove to be true.

"The next morning, the 28th of June, about seven o'clock,

[1] *I.e.* Sedgley Park School.
[2] Rev. John Perry, Bishop Milner's vicar-general.
[3] *Authentic Documents relative to Miraculous Cure of Winefrid White*, p. 8.

St. Winifred's Well

having performed those daily acts of devotion which she had constantly performed ever since she had formed the first design of visiting Holywell, she left her lodging, which was situated at the house of a Mrs. Humphreys, in Well Street, and with the utmost difficulty crawled down to what is called St. Winifred's well, in company with a Mrs. Midghall and the two Mrs. Bromleys, ladies who had arrived from Liverpool at Holywell the same day that she did. One of the latter, she says, was so charitable as to assist her in bathing. She describes the effect of the water, upon her being immersed in it, as so much surprising and overpowering her, that she was unable to recollect herself or attend to the state of her health, till she began to change her bathing dress in the adjoining cabin, belonging to a Mrs. Needham, who attends at the well, when she found herself able to stand upon her left leg as firmly as upon her right leg, and that the excruciating pains in her back and her other pains and maladies had quite left her; in a word, that she was in every respect perfectly well."

On hearing of the cure, Milner made a thorough investigation of the facts, and published the result in a pamphlet from which the above account has been quoted. He took written declarations from those who knew Winefrid White before and after her cure, and those who were in Holywell at the time. The originals of these depositions are still preserved among the Birmingham Archives. Among them is one written by Dr. Stubbs of Wolverhampton, a Protestant, who was in regular attendance on her. After describing all the symptoms of her illness, and the perfect restoration to health which on her return he found had taken place, he ends by testifying as follows:—

"These changes, so extraordinary, complete, and performed in so short a time, I am unable to account for by any principle of medicine I am acquainted with, or any experience I have had in it".

Dr. Underhill, another doctor who had occasionally attended her, also a Protestant, but who did not see her at the time of her cure, likewise describes the symptoms, and ends by saying that he "deemed her case to be totally incurable".

After giving copies of all the attestations, Milner sums up in the following words :— [1]

"The witnesses perfectly agree together as far as they speak to the same points, and where they relate different circumstances, their depositions support each other, as well as the declarations of Winifred White in general. These witnesses could not have combined together to invent a series of falsehoods, having no common interest or tie to unite them in such a cause, but consisting of persons of different stations, religions, countries and places of residence, *viz.* Protestants, Catholics, English and Welsh, some residing at Wolverhampton, others at Liverpool, others at Holywell. In a word, the greater part of them at this day are not known to one another.

"These witnesses speak of open, notorious facts, that took place not at a Catholic oratory or chapel, but at a public bath and in a Protestant town; of facts that happened not at a remote period, but within the last four months, being all and every one of them fully sensible that had they signed their respective names to a falsehood of any kind (as I informed them that their depositions were to be published) they would remain constantly liable to detection and infamy.

"Finally, the witnesses speak of facts, which however contrary to the established laws of nature, were such as they were competent to judge of, being such as fell immediately under the cognizance of their senses. They saw a person distorted from a curvated spine, and half dead from a paralytic side, crawling on a crutch, with every symptom of a most excruciating and desperate malady: and they saw this same person standing erect, walking and running vigorously and nimbly, with all the demonstrations of perfect health, within a short space of time; that is to say, some of them within the course of a month, some within the space of a day, some of two or three hours, some of as many minutes."

The cure proved permanent: the patient had no relapse, and we can finish this account by the following letter written with her own hand fourteen months later, addressed to a priest who wrote asking certain particulars. She answered as follows :—[2]

[1] *Ibid.*, p. 23. [2] *Birmingham Archives.*

"REV. SIR,

"In answer to your letter of the 16th inst., I declare to you that the account that has been published of my miraculous cure, and which has now gone through three editions, is a true account, and that I am now by the mercy of God in perfect health, so as to be able to walk a dozen miles at a time without any inconvenience. The good state of my health at present is as well known to the inhabitants of this town as was my former impotent and suffering condition. Many people from different parts come here to see me, and none of them appear to question the reality of my cure. What impression it makes on them respectively, God only knows. I beg your good prayers, Rev[d] Sir,

"WINEFRID WHITE."

"W'HAMPTON, *August*, 1806."

CHAPTER XIV.

THE CATHOLIC COLLEGES IN ENGLAND.

In order to complete our survey of Catholic England during the second half of the episcopate of Bishop Douglass, we must devote a short space to the state at that time of those large and flourishing institutions which are somewhat loosely spoken of as the Catholic colleges. The names of Ushaw and Stonyhurst, Ampleforth and Downside, Oscott and Old Hall, seem inseparably connected with our Catholic history, and have as musical a sound to our ears as those of Eton or Winchester or Harrow or Rugby to the average Englishman. But flourishing as we have now come to regard them, at the time of which we are writing they were in the first years of their history, and almost all of them struggling even for existence. They were founded on the wrecks of the English Catholic establishments abroad, which were destroyed by the Revolution. The Relief Act of 1791 had just been passed, and it seemed almost to invite the authorities to re-found their colleges on English soil. This was in fact effected; but it needed a long and sustained effort. When Bishop Douglass died, some of them had been in existence for nearly twenty years; but others had only recently—or in the case of Downside not yet—found their final and permanent resting-place. In all cases, a large amount of work was yet necessary before they could be considered permanently established.

It is well known that the students of the old English College at Douay divided into two groups, who founded Ushaw in the North and Old Hall in the South respectively. In the former case, however, the migration was not direct: there was an intervening period of fourteen years during which the work of the college was carried on at Crook Hall. The college at Ushaw was begun in 1804, and took over three years to build.

It was designed on a large scale, with a view to the future. The architect was Mr. James Molyneux Taylor, of Islington, who had previously built St. Edmund's: a fact which explains the resemblance between the two colleges. But he profited by his past experience, and also by the vicinity of stone quarries, so that the building at Ushaw was more substantial and solid than that at Old Hall. Moreover, it was on a larger scale. The front was within a few feet of the same size; but at Ushaw this was only one side of a quadrangle, two other sides of which—each of a greater length—were built at the same time.

The new college was ready for occupation in the summer of 1808, when the community at Crook Hall—some ten miles away—came across and formally took possession of St. Cuthbert's College at Ushaw. They numbered fifty-two in all. During the following year no less than twenty-eight new students entered, so that already there was a fair-sized community.

The establishment of Ushaw was a great event in the history of Northern Catholicity, and Dr. Gibson may well have been proud of his achievement. The following paragraph in the *Laity's Directory* for the following year gives an idea of its importance as viewed by the English Catholics of the day:—

"This elegant, capacious and every way commodious stone edifice, beautifully situated on an eminence, was by the blessing of Divine Providence and the liberal contributions of charitably disposed Catholics, opened for the reception of students on July 19, 1808, the feast of St. Vincent of Paul, the Founder of the Fathers of the Mission, under the direction of the Rev. Thomas Eyre, President, and able Masters. Every Catholic who feels a lively interest in the welfare of religion would do well, under the present extreme urgency to turn a part of the stream of his charities to that, or some similar establishment, mindful of the solemn and impressive injunction of his Divine Master, 'The harvest indeed is great, but the labourers are few. Pray ye therefore the lord of the harvest that he send labourers into his harvest,' St. Luke x."

Mr. Eyre just lived to see the new college established. He died at Ushaw on May 10, 1810, and was the first to be buried in the college cemetery. His successor was the Rev. John Gillow of York, a member of the well-known Lancashire family,

many generations of whom have rendered distinguished services to the Church. The new president arrived in June, 1811, when the vice-president Dr. Lingard, the future historian of England, who had ruled the college during the interregnum, resigned and left. He had been becoming more and more absorbed in his historical studies, and found that the active life of the administration of a large establishment was not his vocation. It was whilst he was professor and prefect of studies at Crook Hall that he wrote some historical papers to read to the students during the winter evenings, which developed in his hands until they eventually formed the substance of his first work—*The Antiquities of the Anglo-Saxon Church*—published in 1806. From this time he longed to have the leisure to pursue his favourite study, and when on the arrival of the new president the mission of Hornby in Lancashire was offered to him, he gladly accepted it; and there he spent the remaining forty years of his life.

Turning now to the other successor of Douay, in the south of England, we find St. Edmund's, Old Hall, going through a period of trial. After its foundation during the last decade of the eighteenth century, it filled rapidly with students, their number mounting within ten years to over 120; and they included representatives of all the chief Catholic families of the land. Nevertheless it did not prosper. The chief reason for this seems to have been the long absences of Dr. Poynter, the president, due to his occupying at the same time the post of bishop coadjutor. His first vice-president was the Rev. W. H. Coombes, a nephew to Dr. Coombes, Vicar General of the Western District; on his departure, in 1808, he was succeeded by Rev. Francis Tuite, who afterwards took a prominent part in Catholic affairs, and was the last titular president of Douay. But as vice-president of St. Edmund's he was not successful. Matters culminated in October, 1809, when during Dr. Poynter's absence on a visitation to Hampshire a rebellion took place among the students, which was carried out on an elaborate scale. Thirty of them left the college, and establishing themselves at an inn at Waltham Cross, as though in an entrenched fortification, issued a manifesto reciting their grievances, and calling for redress. This document they sent by a special messenger to the college.

St. Cuthbert's College, Ushaw

The vice-president being alarmed, and not knowing in the absence of Dr. Poynter what to do, communicated with the police at Ware, who threatened to arrest the refractory students if they did not at once return to their duty. This threat did not have the effect he hoped for. Some indeed returned; but most of them took an opposite course. They were well supplied with money, and thought that by removing to a distance they could put themselves out of the power of the local constables. They therefore hired post-chaises, and started off in a northern direction, with the idea of making for Scotland. They drove right past the college lodge, through Buntingford, Royston and Huntingdon, making their first halt at a little village called Stilton, where they arrived at about midnight. But they were being pursued, though they did not know it. Mr. Angelo, the father of three of the "fugitives," together with the Rev. John Jones of Warwick Street Chapel, had started off from London that afternoon, and finding themselves on the track of the students, posted all night and caught them up at five in the morning, while they were sleeping peacefully at the inn. When they rose in the morning, and were confronted by their visitors, after a long consultation, they consented to return on the undertaking given by Mr. Jones that their grievances should be discussed by the authorities. When they reached the college, they found that Dr. Poynter had returned; but he took a very strong view of his duty in the matter. Three of the refractory students were expelled, and eight others stood by them and left of their own accord. The remainder settled down to their duty.

But the opinion of the parents was not wholly on the side of the authorities. They did not indeed defend the conduct of the rebellious students; but it became clear to them that the college had been mismanaged in Dr. Poynter's absence. A council of parents was held in London to discuss the question. To this Dr. Poynter objected. He said that if any parent was dissatisfied, he could remove his boy; but as President he refused to submit himself and the college to a self-constituted tribunal of this kind. With some of the families his personal influence sufficed to make matters right, and we still find a certain number of that class of boys for some years afterwards; but when Dr. Poynter succeeded as vicar apostolic and ceased

to be president, the number rapidly declined, and a few years later the position became critical.

The college was destined to be saved by one who was afterwards a chief figure of English Catholicity during an eventful period, the saintly Dr. Griffiths; who after presiding over it for fifteen years became Bishop of the London District. This will be described in its place: it is sufficient here to say that in 1809 he was a student in the class of "Syntax,"[1] and, perhaps it is hardly necessary to add, he took no part in the rebellion.

Coming now to the Midland District, we find two educational establishments the names of which have long been identified with English Catholic history. These are, of course, Sedgley Park and Oscott, both of which were purely English foundations, with no previous existence on the Continent. Of the former little is to be recorded during these years beyond the ordinary incidents of the life of a school. The President, the Rev. Thomas Southworth, had two terms of office, separated by four years (1793-97) during which Dr. Kirk was president and Mr. Southworth chaplain. After resuming the office of president he continued to hold it until his death in 1816, so that he presided during the long period of thirty-one years, and lived in the house thirty-five.

At Oscott, a great change came about in the year 1808, when the "Old Government," as it was commonly called, came to an end. Apparently for some years past the college had not been very thriving, and in consequence in June, 1808, the president, Dr. Bew, resigned. The lay governors came together to appoint his successor, and their choice fell upon Dr. Kirk. He, however, declined to accept the post, feeling that his ill success in the presidency of Sedgley Park showed that he was not well suited to such a position. Affairs seemed to threaten a deadlock, when Bishop Milner offered to take over the whole responsibility for the conduct of the college. In view of the fact that it was considerably in debt, and likewise that the ardour of the "Cisalpines" to have a school under their own management[2] had by this time cooled, they were glad enough to accept his offer. Moreover, this put

[1] Equivalent to a Fifth or Upper Fourth Form at an English public school.
[2] See *The Dawn of the Catholic Revival*, chap. xxii.

an end to a situation which had not been free from difficulty for the past five years, since Milner's appointment as bishop; for he had of course been out of sympathy with the government of the school, and Dr. Bew had been more than once on the point of resigning. Now therefore Milner took the whole matter into his own hands. He appointed the vice-president —Rev. Thomas Potts—to succeed Dr. Bew, and his secretary, Rev. Thomas Walsh, became vice-president. No other changes were made on the staff, but the general management of the college changed very much. He dedicated it to Our Lady, and it has ever since been known as St. Mary's College. The inauguration of the new state of affairs took place on the Feast of the Assumption, August 15, 1808. The ceremony was unpretending enough. It consisted of a Low Mass, with a discourse by Bishop Milner. During Mass, there was a little music, chiefly consisting of the Litanies of Loreto, sung by the Misses Jones of Wolverhampton, one of whom played an accompaniment on the pianoforte.

If we turn now to consider the schools conducted by regulars, we find the Benedictine Community of St. Lawrence (formerly at Dieulouart, in Lorraine) permanently settled at Ampleforth, some twenty miles from York; and together with them were some of the monks from Lamspring; but the community of St. Gregory (formerly at Douay) were still temporarily housed at Acton Burnell in Shropshire. They had a small school; but at that time the number of scholars did not exceed twenty. It was not until the year 1814 that they migrated to Downside on the Mendip Hills, near Bath: since that period their history has been one of continuous growth. The community of St. Edmund's, Paris, were still without a home, the monks being dispersed on the various missions. The Dominicans re-established their school at Carshalton, in Surrey, under the name of "Bornheim House Academy": but it only lasted a few years, and was closed about 1810.

We have left till last the consideration of the college which has become the largest and perhaps the best known of all, that of the ex-Jesuits at Stonyhurst. During the lifetime of Bishop Douglass, the priests who were responsible for carrying it on were in a somewhat anomalous position. They included the survivors of the ex-Jesuits; but as thirty or forty years had passed

away since the suppression of the Society, these were becoming few in number. They had been reinforced by those who had been ordained from the Academy at Liége, and subsequently those from Stonyhurst itself. Technically, they were secular priests; but they were all hoping some day to be Jesuits, if the Pope should consent to the restoration of the Society. In the meantime, they voluntarily kept as much of the Jesuit rule as was applicable to their circumstances, and by a special rescript from Rome, they had the privilege of appointing their own superior independently of the vicars apostolic.

It was only natural that they should be on the watch for any event which would help towards the realisation of their hopes. At the end of the eighteenth century an unexpected prospect seemed to open out before them. On the Continent two separate societies had been established, both based on the rule of St. Ignatius, the aims of which bore considerable similarity to those of the Jesuits. One was the Society of the Sacred Heart of Jesus, founded in Austria in 1794 by Abbé de Broglie, an ex-Jesuit, son of the well-known marshal of that name; the other was the Society of the Faith of Jesus, founded by one Panquanari, a native of Trent, formerly a soldier in the Papal army. At the request of Pius VI., the two societies were amalgamated in 1798, and two years later Abbé Broglie visited London, in quest of subjects. At this time his society counted about 150 members. The Abbé was presented to Bishop Douglass, and went with him to St. Edmund's College. He afterwards visited Lulworth and obtained from Mr. Weld an introduction to the Fathers of Stonyhurst, whither he next proceeded.

Among the ex-Jesuits the opinions on the new society were divided. The Rev. C. Forrester, chaplain to Lord Arundell, made a Retreat in their house in the Polygon at Somers Town, and joined the society; but the Rev. Charles Plowden declared against it from the beginning. The Rev. Marmaduke Stone, the president of Stonyhurst, seems to have been at first inclined in its favour. There was much to recommend a junction between the ex-Jesuits and the new society; their anomalous position would have come to an end, and they would have found themselves members of an order of similar aims and rules resembling those to which they had been so long volun-

tarily adhering. But Mr. Stone felt the need of caution, and at the end of the Abbé Broglie's visit, the fathers decided against throwing in their lot with him.

After his visit to Stonyhurst, Abbé de Broglie returned to London, and established a school or academy in Kensington. A house was also opened at Brook Green by nuns of the same order, who arrived from Italy. Both, however, proved failures. The nuns soon dispersed—three of them joining the Carmelites at Lanherne. The end of Abbé Broglie's venture can be given by a quotation from the diary of Bishop Douglass:—

"1805. June 22. Abbé Broglie has been arrested and confined in a spunging house for a debt. He was bailed out by a friend: yet by advice of friends he has absconded. His debts are said to amount to ten thousand pounds, plus minus."[1]

The Stonyhurst Fathers must have congratulated themselves at not having joined with Abbé Broglie, for before long another opening, equally unexpected, led to their ultimately realising their desires in a more complete manner. In the year 1801 Pope Pius VII. issued a bull confirming the existence of the Society of Jesus in Russia, and two years later the English ex-Jesuits obtained an informal and private permission to affiliate themselves to it. Milner describes the circumstances under which this permission was granted in a letter to Dr. Troy, dated February 27, 1805, in the following terms:—[2]

"It is now two years since upon the application of several ex-Jesuits at Stonyhurst, and in other parts of England, to be aggregated to the body of the Russian Jesuits, Father Gruber, their General, acceded to the proposal, appointing Mr. Stone to be his Provincial in this kingdom, and requiring nothing more of the petitioners or of such others as had made their vows than to perform a spiritual retreat and renew the said vows; alleging that he had authority from his Holiness 'Vivae

[1] The following additional entry is sufficiently interesting to reproduce, as illustrating the life of the day:—

"About a year and a half ago the said Abbé Broglie was publicly reprimanded by the sitting magistrate at Bow Street for suffering his students to have cock-fightings in his academy. The cocks had been stolen by the persons of whom the boys had bought them. The owner of the cocks upon finding them at the school, took the boys before the magistrate at Bow Street, who before he discharged the said boys reprimanded their superior who had accompanied them to Bow Street."

[2] *Dublin Archives.*

Vocis Oraculo'[1] for what he did, though from the jealousy of the Spanish Court a brief to this effect could not at present be granted. This 'Vivae Vocis Oraculum' is understood to have been communicated by the Pope to Father Angeloni, who was the agent at Rome of the aforesaid General. Upon the receipt of this commission from the latter many ex-Jesuits distributed their effects and renewed their vows. My friend Charles Plowden stood out for some time, saying that, without a public instrument under the Pope's hand, it might be disavowed and overturned in a moment. At length, however, he complied, and accordingly pronounced his vows on August 15, 1804."

After this a regular novitiate was established, Father Charles Plowden becoming the first "Master of Novices". Mr. Weld once more came to their assistance, giving them a house at Hodder, a short distance from Stonyhurst, for the accommodation of the novices. Henceforth the fathers were able to live and act as Jesuits; but as their permission was private, new members had still to offer themselves for ordination as though they were to be secular priests.[2] On this Rome insisted. Indeed no indication seems to have been given to the vicars apostolic of any private permission for them to live as Jesuits, and lest there should be any mistake, Cardinal Borgia wrote to Bishop Douglass on December 3, 1803, declaring categorically that the Society was not restored anywhere outside Russia. He warned him against giving credence to any rumours of a Restoration in England, and requested him to notify to the other vicars apostolic that they were not to recognise any priests as Jesuits, nor to accord them the privileges of the Society, unless and until the Congregation of Propaganda should send them definite instructions to that effect.[3]

[1] *I.e.* by a formal pronouncement by word of mouth. It is questionable in the present case whether the permission given by the Pope was sufficiently formal to merit this designation.

[2] That is, in theological language, they were not ordained "titulo paupertatis," but "titulo missionis" or "patrimonii".

[3] The full text of this letter is given in the Appendix to Vol. III. It formed an important document in connection with subsequent controversies, and for that reason it should be carefully borne in mind. See also a letter to the same effect from Cardinal Borgia to Bishop Milner, dated March 17, 1804.

It would appear that these letters were written in consequence of inquiries which reached Rome from Ireland, as to the status of the Fathers: see Father Pollen's article in the *Month* for May, 1910.

Stonyhurst College

This curious state of affairs led to continual difficulty, and could not have been meant by the Holy See for more than a very temporary arrangement. The Pope was in fact hoping soon to see the Society fully re-established, and in the following year a further step was taken towards that end by the restoration of it in the two Sicilies; but owing to various unexpected difficulties the general restoration did not take place till a good many years later.

Panquanari himself came to a tragic end. The very last entry in Dr. Douglass's diary, dated simply 1811, records on the authority of Messrs. Macpherson and Smelt, that his body had been found in the Tiber, lifeless and mutilated. The members of the Society of the Faith of Jesus were eventually admitted into the Jesuit order, by the authority of the Pope, with a shortened novitiate.

The unsettled state of the ex-Jesuits did not interfere with the work of the college at Stonyhurst any more than it had done at Liége. Both in number and efficiency it showed a steady development, until in 1808 further building became necessary. The term of Rev. Marmaduke Stone's presidency came to an end in 1808, and his successor, Rev. N. Sewal, forthwith opened a subscription among the past students and friends of the college, with the result that new buildings of considerable size were erected. They included a hall, or "Academy room," which was to be formally opened at the close of the scholastic year. The tragic event which prevented the intended celebration is a well-known tradition at Stonyhurst. Mr. Weld, the founder of the college on its present site, came to assist at the gathering. On the feast of St. Ignatius (July 31) he gave the boys a dinner, and he and his sons went in to join them during dessert. In the midst of the festivities, just as he finished singing one of his favourite songs, he was taken ill with apoplexy, and died in a few hours. His body was taken back to Lulworth for burial, and with great appropriateness the Rev. Charles Plowden preached the funeral sermon. He had much to say about the domestic virtues, and the truly remarkable holiness of life of the deceased; and still more, on the lessons which the startling suddenness of its end enforced with so much effect. But the work which was most lasting in its results, for which he will be chiefly and rightly

remembered, is the foundation of Stonyhurst, where every year on the anniversary of his death a solemn *Requiem* is offered for the repose of his soul.

A word may now be added about the character of the education given at the Catholic colleges at that time. It may perhaps be said that it did not differ much from that at an ordinary English public school. Such difference as there was would have been due to conservatism and respect for tradition. The curriculum was based almost entirely on the study of the Latin and Greek classical authors: the subject of the mathematics, beyond ordinary arithmetic, or "cyphering" as it was called, was practically unknown. The physical sciences were studied as part of the philosophy course, as had been the case at Douay and Liége. Subjects such as history and geography had been recently introduced into the curriculum, the latter being taught on what was then considered the most scientific basis, and described as "the use of the globes". It is worthy of remark that notwithstanding the discontent which had been shown by some of the laity at the education at Liége and Douay during the last quarter of the eighteenth century,[1] when they had a school at Oscott under their full control, they did not find much to change beyond such improvements as had been introduced in the colleges under ecclesiastical direction in view of the general development of the age.

The main ideals of college life remained the same in England as during the years of enforced exile on the Continent. The foreign atmosphere in which they had lived had undoubtedly affected the system of life. One evidence of this is to be found in the names of the forms, which to this day are based on the French names.[2] A more important feature is the generally strict and perhaps rigid ideal of life, which though it has been tempered by its application to the English character, is still stricter than might be expected in a school of purely English origin. So much had the ideal of a secluded life out of contact with the world impressed itself on their minds that many regretted the circumstances which had transferred the

[1] See *The Dawn of the Catholic Revival*, chap. vi.

[2] The top form is called "Rhetoric"; the next "Poetry"; then "Syntax" and "Grammar," etc., names which no doubt once had reference to the work done by the form, but which have long ceased to have any but an archaic signification.

colleges to this country, and some even hoped to see them restored to their Continental homes, where they would be free from the interruptions caused by visits of the parents or the like; and where they could not leave to spend the vacations at home. Milner called out for "a remote situation in Wales" as the most suitable to avoid these drawbacks. Charles Butler, however, apparently thought that the advantage gained by contact with the world outweighed the disadvantages. "The world has unavoidably found some way into these establishments," he writes,[1] "since they have been settled in England: their system of education has consequently been materially improved by it. Reading, arithmetic, geography, and modern history are systematically taught; and due regard is shown to manners."

With respect to university education, the Catholic young men of the day were still unprovided for. Oxford and Cambridge were closed against them, for in those days all the undergraduates had to attend daily Protestant worship in the college chapels, and no student could proceed to a degree without signing the Thirty-nine Articles. Catholics had no substitute to fall back upon. In this they were not worse off than their ancestors, for the disadvantages as well as the expense of attending a foreign university had practically shut out Catholics from a university education for many generations. Even at Douay the college had long since ceased to be in any close touch with the university, and no one ever went to the English College in order to take a degree in Arts or Literature.

With the dawn of freedom, however, the want began to make itself felt, and an inclination arose among the rising generation to frequent Oxford and Cambridge, even though no degree could be obtained, and to accept the consequences of non-attendance at college chapel by paying such fines as were enforced. The first Englishman to do this was George Petre, nephew of the tenth Lord Petre, who entered Jesus College, Cambridge, accompanied by the Rev. J. Chetwode Eustace, a priest, who resided with him there. The following extract from a letter of Milner, dated December 20, 1804, will show the arguments used by those who tried to defend the step, and the evils which Milner himself apprehended from it :—[2]

[1] *Reminiscences*, p. 8. [2] *Clifton Archives.*

"I received a reply from Lord Petre during my stay in town, from which as well as from my conversation with Mr. Cruise, secretary to Oscott and the Cisalpine Club, I gather that the Matriculation of Mr. George Petre at the University is part of a settled plan of education which certain gentlemen have agreed upon, and that we may expect others to follow the example that has been set them. They urge that the late Lord Fingall studied at Oxford without losing his religion; but they forget that Lord Cahir met with this misfortune in consequence of the measure in question. Lord Petre says that his nephew avows his religion, that he is not persecuted or reproached on that account, that he goes to Mass at Sawston,[1] that he rather chooses to pay the fine annexed to non-attendance than to frequent the college prayers, etc. In this point, however, I fear there may be a mistake. The account does not agree with that of Monsieur Totevin, the priest of Sawston. At any rate we may be assured that the young men in general who are destined for the University will not long be in a humour to pay fines twice a day, or boggle at the observance of this among the other College statutes.

"Lord Petre concludes by saying that the intermingling of our young men with Protestants of their age will go further towards complete emancipation than all our books and petitions put together."

In another letter, alluding to the same matter, Milner says: "I suppose there can be no difference of opinion concerning the unlawfulness of the practice in question: the only doubt is about the proper means of putting a stop to it"; and he repeats his former statement more emphatically: "I must remind your Lordship that young Lord Cahir was a very few years ago also sent to study at Oxford. The consequence was such as might be expected—he became an Apostate."

The Rev. John Chetwode Eustace, to whose influence the arrangement was in great part due, was a man of unusual antecedents, and mixed national sympathies. He was English by descent, but had been born in Ireland. His early education took place partly at Sedgley Park, and partly at the Benedictine College at Douay; but he afterwards went to Maynooth, where he was ordained priest, and remained as a professor.

[1] The seat of the Huddleston family, some seven miles out of Cambridge.

We next find him chaplain to Sir William Jerningham at Costessey, where he succeeded the Rev. George Chamberlayne in 1799. Three years after this he went on a tour through Italy, in company with three Irish gentlemen, on his return from which he became tutor to George Petre, and accompanied him to Cambridge as stated. He afterwards published an account of his tour, which ran through seven editions. His writings, however, betrayed advanced "liberal" opinions and evoked the wrath of Milner, who declared that "instead of gadding with Protestants through classical scenes, [he] ought to have been teaching Irish Catholics their catechism".[1] It is probable, however, that his levity of style did him an injustice, and there is no reason to doubt the substantial orthodoxy of his faith.

The question of Catholics frequenting Oxford and Cambridge was discussed at the meeting of bishops in 1810, with the following result:—

"Quaer. May Parents be permitted to send their children to Protestant Universities?

"Ans. The practice is so extremely dangerous that it is by all means to be discouraged; and if they are required to attend the Protestant service, unlawful."

In his *Letters from Ireland*, Milner gives what was presumably the view of the Catholic authorities of that day about frequenting the national universities. In a letter dated from Maynooth, having mentioned the lay college recently established there,[2] he proceeds to say that "It has been asked both in Parliament and out of it: 'What need is there of a lay Catholic College, in addition to the ecclesiastical one?' and 'Why at least those young men who are destined for the various walks of life are not sent to the public Universities?'" He answers as follows:—[3]

"We wish our youth in general to be educated apart precisely for the opposite reason to that which makes you wish them to be educated at the Universities. You desire them to be sent to these in hopes that by associating with other youths, whom you call more liberal, we more lax, they may

[1] *Orthodox Journal*, August, 1819, p. 303.

[2] This lay college had no direct connection with the Theological College there; it was not a success, and had a very brief existence. See Archbishop Healy's *History of Maynooth*, p. 315.

[3] *Letters from Ireland*, p. 31.

become more indifferent about their religion: we wish to keep them at a distance from such society *for fear* of the selfsame consequence. We have proof indeed that this consequence does not always follow, but we have also proof that it frequently does follow. In fact, the Catholic religion being much more strict and rigorous, both as to belief and practice, than that of the establishment, it is of course ridiculed by the members of the latter for its supposed superstition. Now the imputation of this blind and grovelling vice is what very few young men of spirit will submit to. Hence they are under a continual temptation when intimately and habitually mixed with Protestant companions, of deserting their faith. Again, it is required of students, in the English Universities at least, to frequent the established service: but our Church not permitting this, or even winking at occasional conformity, it is clearly seen that these are not proper places of education for Catholics."

CHAPTER XV.

THE COLLEGES ON THE CONTINENT.

Of the nine colleges or schools for English boys which existed on the Continent when Dr. Douglass became bishop not one was still open at the time of his death. Those in France—the secular and Benedictine houses at Douay, and the colleges at St. Omer and Paris—came to an end in 1793; those in Flanders—Liége Academy belonging to the ex-Jesuits, and Bornheim belonging to the Dominicans—were closed in the following year; and the English College at Rome in 1798. There still remained a college at Valladolid in Spain, and one at Lisbon, which had not been affected by the Revolution.

The last two were not, however, destined to continue without intermission. The college at Valladolid had never been very flourishing since it had passed out of the hands of the Jesuits. When, on the death of the Rev. Joseph Shepherd in 1796, the Rev. Thomas Taylor succeeded as president, there were not more than a dozen students. The troubles of the times affected the finances, and in order to economise, the president sent his assistant, the Rev. W. Irving, back to England, and taught the students by himself. As a result, when in 1805 he had an epileptic fit, and became incapacitated, the work of the college was brought to a standstill. He endeavoured to secure temporary aid from the English College at Lisbon, but without success. At this crisis, the authorities of the Scots College in the same town came to his assistance, and the Rev. Alexander Cameron—brother to the bishop of the lowland district of Scotland—attended daily to give lessons to the boys. On May 22, 1806, Mr. Taylor died, and but for the prompt action of the Scotch authorities, the college might have been permanently lost. They put the senior student, Mr. Cowban, in command, and

sent all the others—who numbered only seven—back to England. The college was still closed at the end of Dr. Douglass's life. In 1813 the Rev. W. Irving returned as president, but some years elapsed before he was in a position to receive students.

At Lisbon the crisis had been even more acute. The French occupied the town in November, 1807, and the king sailed for Brazil. The students at the English College were declared prisoners, though they were allowed out on parole; but some three hundred soldiers were quartered at the college for a period of nine months. Scarcely had they left when news arrived that the city was likely to be occupied by the French a second time, and fearing a repetition of the previous experiences, the president sent all the students back to England while he still could, and in order to save the college from being confiscated, he opened it to Portuguese students, who quickly came in sufficient numbers to fill it. In this way it was carried on for some years.

In the meantime, on the signing of the Peace of Amiens in 1802, efforts were made to reclaim the colleges in France, as well as the endowments invested in French funds, which amounted to a very large sum of money. The Rev. John Daniel, President of Douay, and Bishop Gregory Stapleton, President of St. Omer, set out in May, 1802. Mr. Daniel, who was accompanied by Rev. Thomas Smith of Durham (afterwards Vicar Apostolic of the Northern District) had already arrived at Douay, when the unexpected death of Dr. Stapleton took place at St. Omer. At Douay itself they were unable to effect anything, as all the title-deeds of the college properties had been sent to Paris in 1790. They therefore proceeded to Paris; but they found everything at the capital still in such a state of disorder that there was little chance of effecting anything for the time. Mr. Smith therefore returned to England, while Mr. Daniel waited on at Paris, "hoping," says Bishop Douglass, "for better times". In the event he spent the remaining twenty years of his life in the French capital.

To the end of his days Mr. Daniel always hoped for the re-establishment of Douay College. He had no belief in the colleges in England which had been established to replace it, and thought that the whole future of the English mission de-

pended on the revival of his Alma Mater. He was not quite alone in this opinion, as we can gather from the following extract of a letter from his brother, Rev. Edward Daniel, to Dr. Poynter, under date February 8, 1803 :—

"Have you or Mr. Varley heard anything lately from Douay?" he asked; and added, "I think all former Professors and students should offer their services to restore the house that has and may again do so much good. If no party or other difficulties occurred in England, I yet should be for that College remaining. The public good will always be my desire."

This was, however, by no means the common feeling among the English Catholics, and some months before that letter was written the bishops had come to a definite resolution not to re-establish Douay. The long endeavours to recover the property therefore were not carried out with any view to reopening the college.

At an early stage the question was complicated by the drastic action of Napoleon, who issued a decree dated May 18, 1805, by which all the Irish and Scotch houses were joined together to form one common establishment. There had been two Irish colleges in Paris—one of which in the *Rue des Carmes* had formerly belonged to the Lombards, and was still known by that name—and five in the provinces—at Lille, Toulouse, Douay, Bordeaux, and Nantes respectively. The Scots had a small college in Paris and another at Douay. By a subsequent decree in the same year Napoleon also added all the English houses to the joint establishment. These included the English colleges at Douay and St. Omer, the "Seminary" in the *Rue des Postes*, Paris, the Benedictine Monasteries of Paris, Douay, and Dieulouart, and the English Franciscan Monastery at Douay. It must be remembered that nearly all the revenues of these houses had been invested in French funds, and therefore were, at least for the time, lost. There was no source of income left except such real property formerly belonging to them as had not been alienated during the Revolution, consisting chiefly of the college buildings themselves, together with some lands and a certain amount of house property. In some instances, however, these had passed to other hands. In any case it is easy to see that no single house

could re-open at that time with any prospect of success. It was considered that if they were all united, there would be sufficient means of support for a single establishment.

The scheme was accordingly carried out in the summer of 1805. The house appropriated for the joint establishment was the Irish College in the *Rue du Cheval Vert*—afterwards called the *Rue des Irlandois*—which had accommodation for over a hundred students, and was well fitted for scholastic purposes. The English Seminary, which was close by, was made into an infirmary, with rooms set apart for Rev. John Daniel and any other "Professores Emeriti" for whom they might be required. At the same time Napoleon subjected the establishment to the management of a "Bureau" or Committee, consisting of six members, one of whom was the Archbishop of Paris. This high-handed act was fraught with most unfortunate consequences, which have lasted down to the present day; for by it the French made their first claim to have authority over these colleges. Hitherto the Secular College at Douay and the Paris Seminary had been entirely free from French interference; while at St. Omer, though in consideration of a royal pension the King of France had been accorded some rights in respect to the nomination of the President, the management of the college had been almost entirely in English hands. This right of the English to administer what belonged to them was overruled by main force in 1805, and has never since been recovered in respect of the property of those three colleges.

The Administrator chosen for the new establishment was the Rev. John Baptist Walsh, who had been Superior of the old Lombard College. He bore a good character as a man of high principle and a competent organiser. He secured the assistance of the Rev. Henry Parker, O.S.B., the Prior of the Community of St. Edmund, and one Father McNulty, an Irish priest. Moreover, in order to make a school, he prevailed upon one Abbé Fontanel, who had a private school in the same street, to unite it with the new establishment, of which he became the director of studies.

At the time the union was effected, Mr. Daniel was living in Paris, and he had been joined by Dr. Bew, President of Oscott, who came as the representative of the English Seminary at Paris, and the Rev. Francis Tuite, who came as the executor

of Dr. Gregory Stapleton[1] and as consequently the representative of St. Omer. In the early part of the year, before the arrival of Dr. Bew, the Pope came to Paris, for the coronation of Bonaparte, and Messrs. Daniel and Tuite were presented to him. Dr. Douglass, in recording this in his diary, adds, "His Holiness showed particular attention to them, and held Mr. Tuite's hand in his own for several minutes".

Dr. Douglass also adds that Messrs. Daniel and Tuite were "living quietly in our Paris Seminary, under the protection of Rev. J. Walsh, who has charge of all British and Irish Colleges in France". Soon afterwards the Rev. Henry Parker, O.S.B., the Prior of the English Benedictine Community formerly established in Paris, was deputed by Mr. Walsh to write to the vicars apostolic in England, to ask their concurrence in the scheme. It would appear that the vicars apostolic were of opinion that with Napoleon still in the zenith of his power, no good would result from a further protest on their part. Hence we find the following entry in the *Douglass Diary*:—

"1805. September 13. Bishops Gibson, Sharrock, and Milner having sent me their opinions on Mr. Parker's letter, and agreed that we should accept the share appropriated to the English in the general College at Paris, I this day sent the following answer to the said Mr. Parker's letter, *viz.* that we acceded without hesitation to his wishes in accepting the part which is assigned to the English in the general Establishment. I also begged him to let me know when the united College could admit students on the English funds therein."

In this last sentence Dr. Douglass betrays his ignorance of the lines on which the new establishment was to be run; for the English bishops were never given the opportunity of nominating students. These were found in Paris, and though most of them were English or Irish by nationality, they were nearly all sons of officers in the French army, and some were actually French. We can understand Milner designating it as a "nursery of treason,"[2] for almost every student educated there looked forward to fighting against the English.

Nor did the injustice end here. The *Bureau* acted very

[1] Dr. Gregory Stapleton left three Executors—Rev. Francis Tuite, Rev. John Yates, and Mr. Thomas Cleghorn. Mr. Tuite acted in Paris in their joint names.

[2] *Sup. Mem.*, p. 218, note.

unscrupulously with regard to the funds, and applied them to extraneous purposes, such as granting pensions to French officers whose boys were being educated, or other such misappropriations. It is difficult to ascertain how far the Rev. John Walsh was responsible for tolerating these abuses, or whether he did all he could to protest against them. He had considerable power during the term of years that he was Superior. He obtained possession of the English College at Douay, which was no longer required as a military store, and having no means of utilising it, he determined to turn it into a source of income. He therefore let the building on a long lease of twenty-eight years, as a spinning factory, at the moderate rent equivalent to just over £100 a year. He also received rent for the College at St. Omer, which continued to be used for a military hospital. For all this, and for his administration generally, he was freely blamed by Dr. Poynter and others. But it would seem that even if he was partly to blame for tolerating abuses, he was not sufficiently pliant to please the French *Bureau*, and by an *arrêté* dated July 28, 1809, he was deposed from his office. He retired to the Lombard College, where he wrote and published a long defence of his administration.

For a while no successor was provided to preside over the joint establishment, the Benedictine Father Parker remaining in temporary command. In the course of the next few months, there was an influx of English and Irish Catholics, exiled from Rome, owing to events which had been sometime in progress, and to which we must now give our attention.

We must go back as far as the beginning of the year 1808, when the French troops once more occupied Rome. Chief among the reasons for this aggression was the refusal of the Pope to join in an offensive alliance against England, so that the English Catholics naturally felt a special interest in the consequences of this event. We can quote the diary of Bishop Douglass:—

"1808. March 16. We hear on this day that on the second of last month was published at Rome the following notice by Cardinal Cassoni, Secretary of State, *viz.*:—

"'His Holiness Pius VII. being unable to conform to all the demands made on him by the French Government . . .

as it is contrary to his sacred duties and the dictates of his conscience; and being thus compelled to submit to the disastrous consequences which have been threatened, and the military occupation of his capital, in case he should not submit to such demands, yielding therefore in all humility of heart to the inscrutable determinations of the Most High, he places his cause in the hands of the Almighty, etc.' He then protests in his own name as well as in that of his successors against any occupation whatever of his dominions, and commands all his subjects to preserve peace and tranquillity, abstain from all excesses, and respect the individuals of a nation from whom during his stay in Paris he had received so many testimonies of devotion and regard. Accordingly on the same day General Miollis entered Rome at the head of 5,000 or 6,000 men, took possession of the guard-houses at the gates, the principal guard at Piazza Colonna, etc., and also possession of the Castle of St. Angelo, and planted the artillery of his army against the Pope's palace. All this was done in good order, without any disturbance. The French troops in Rome amount to 10,000 men, and there are 30,000 men dispersed throughout the Ecclesiastical State, in Civita Vecchia, Ancona, etc."

Dr. Douglass obtained his information from the Rev. Robert Smelt, who was still in Rome. The Rev. Luke Concannen also wrote to Dr. Milner on August 23, 1808, that the Pope was well, and "to a certain degree his own master". This state of affairs, however, was not destined to be permanent. On May 17, 1809, a decree was published annexing all the Papal States, including Rome itself, to the French Empire. The change of Government was formally announced in Rome on June 10. On the same day the Pope issued his bull *Quam Memoranda*, protesting anew, and adding to it the sentence of excommunication against all those who took part in the spoliation.[1] On July 6, early in the morning, the French soldiers were commanded to attack the Quirinal, and before sunrise the Pope, together with Cardinal Pacca, had been taken prisoners, and were travelling under escort towards the North. Their destination was Savona in Piedmont, where the Pope was kept for the next three years.

Some months later all the English residents in Rome were

[1] See the Pope's Declaration, published in the *Catholic Directory* for 1809.

arrested, including Revv. Robert Smelt and Paul Macpherson, the English and Scotch episcopal agents respectively. Mr. Smelt writes under date August 3, 1810, as follows:—[1]

"All clergymen of every description not born within the walls of Rome were ordered to their respective dioceses, British subjects to Paris. I left Rome June 15th, arrived at Lyons July 5th in a very deranged state of health; was forced to stop there twelve days, but by help of warm baths was enabled to pursue the journey, and reached Paris y^e^ 21st, with almost continual slow fever. I came at my own expense, and have already expended near £100 sterling."

During his captivity at Paris, Mr. Smelt lodged at the English Seminary. Dom Parker, who was then in command, gave him a room which had been prepared specially by Dr. Walsh to receive the Rev. L. Concannen, who had just been appointed Bishop of New York. Mr. Smelt describes it as "all new; an elegant window, with large panes of glass, shutters, etc., new chimney-piece, silk bed and window curtains". The new bishop had fallen ill at Naples and died on June 17, 1809, so that he had never come to Paris, and the room was occupied by Mr. Smelt for the first time. Three Maltese priests, who arrived soon afterwards, were sent to the Irish College in spite of Dom Parker's protests.

Mr. MacPherson succeeded in remaining in Rome, to administer the property of the Scots College, for the greater part of a year. When he reached Paris he was set at liberty, as also was Mr. Smelt, and they travelled to London together, arriving on August 1, 1811. Mr. Smelt never returned to Rome; but lived the remaining three years of his life in London, where he died of lock-jaw on August 24, 1814.

[1] *Westminster Archives.*

APPENDIX TO VOLUME I.

APPENDIX A.

THE BLANCHARDIST SCHISM.

I.

LETTRE DE MGR. L'EVÊQUE D'ANGOULÊME À MR BLANCHARD.[1]

22 7*bre*, 1808.

J'AI reçu, Monsieur, la lettre que vous m'avez fait l'honneur de m'envoyer, ainsi que le pamphlet qui y étoit joint. Je supprime une infinité de justes reproches que je pourrois vous faire, nommément sur le titre que vous avez donné à votre avant dernier écrit, *Défense du Clergé françois*, &c. Un seul ouvrage existe auquel on aie osé donner ce titre, et il est de Bossuet.

Cependant, comme c'est moi qui vous ai conféré l'Ordre de la Prêtrise, la charité m'engage d'offrir à vos réflexions les sentiments de ce même Grand Prelat, et qui aura peut-être quelque poids sur votre esprit.

M. Bossuet dans l'Oraison funébre de M. Cornet, Grand-Maître de la Maison de Navarre et Sindic de la faculté de Théologie de Paris, prononcée dans la Chapelle de Navarre, au milieu de tous les Docteurs, s'exprime ainsi. Page 369 Vol. 8, Edit. in 4°.

"Saint Grégoire de Nazianze, qui étoit fort familier à M. Cornet, lui avoit appris que les troubles ne naissent pas dans l'Eglise par des âmes communes et foibles. Ce sont, dit-il, de grands esprits, mais ardents et chauds, qui causent ces mouvements et ces tumultes: mais ensuite les décrivant par leur propre caractère, il les appelle *excessifs*, insatiables et portés plus ardemment qu'il ne faut aux choses de la Religion; paroles vraiment sensées et qui nous représentent au vif le naturel de tels esprits. Vous êtes étonnés peutêtre d'entendre parler de la sorte un si saint Evêque; car, Messieurs, nous devons entendre que si l'on ne peut avoir trop d'ardeur, non point pour aimer la saine doctrine, mais pour l'éplucher de trop près et pour la rechercher trop subtilement, la première partie d'un

[1] This and the following letters are among the *Westminster Archives*.

homme qui étudie les vérités saintes, c'est de savoir discerner les endroits où il est permis de s'étendre et où il faut s'arrêter tout court, et se souvenir des bornes étroites dans les quelles est resserée notre intelligence, de sorte que la plus prochaine disposition à l'erreur est de vouloir réduire les choses à la dernière évidence de la conviction ; mais il faut modérer le feu d'une mobilité inquiete qui cause en nous cette intempérance et cette maladie de savoir, et être sages sobrement et avec mesure, selon le principe de l'Apôtre, et se contenter simplement des lumières qui nous sont données plutôt pour réprimer notre curiosité que pour éclaircir tout-à-fait le fond des choses.

"C'est pourquoi ces esprits extrêmes qui ne se lassent jamais de chercher ni de discourir, ni de disputer, ni d'écrire, Saint Grégoire les a appellés excessifs, insatiables. *Os prudentis quæritur in ecclesia, et verba illius cogitabunt in cordibus suis.* . . . Eccli. 21. 20."

J'ai l'honneur d'être, &c.

II.

Réponse de M. Blanchard.

Londres le 24 *Sept.* 1803.

Monseigneur,

J'aime à croire que vous prenez dans le sens des Anglois, c'est à dire, pour une petite brochure le nom de Pamphlet que vous donnez à l'écrit que je vous ai presenté. Vous savez que dans notre langue ce mot a une autre signification qui est méprisante et injurieuse. Je ne croirai jamais que vous en usez contre un écrit aussi favorablement accueilli par le public éclairé ; contre un écrit que vous avez un si grand intérêt à favoriser ; contre un écrit expressément et évidemment fondé sur vos réclamations canoniques qui en font la principale force. Si vous appellez ma réponse un pamphlet dans ce sens odieux, il est vrai de dire, contre toute apparence, que Mgr. l'Evêque de Centurie a gagné son procès auprès de vous, et qu'il a réussi à rendre fauteur de son injustice un des Evêques françois si fortement engagés par devoir à y mettre obstacle.

Vous supprimez, dites vous, Mgr, une infinité de justes reproches que vous pourriez m'adresser. Je regrette beaucoup cette suppression ou parceque l'énoncé de ces justes reproches auroit pu me corriger, s'ils sont fondés, ou parceque s'ils ne le sont pas, mes réponses auroient pu vous détromper, et vous ramener sur mon compte. je vous demande une grâce, Monseigneur, c'est de me mettre à portée de vous donner toute sorte d'éclaircissements, en me faisant connoître tous ces justes reproches, sans nul ménagement. j'avoüe que ma conscience ne me dit rien là-dessus, ni par rapport à vous, ni par

rapport à aucun autre, excepté quelques expressions un peu dures à l'égard de M. Milner, mais justes au fond et bien méritées; que cependant j'adoucirai dans ma *réponse* qui ne tardera pas à paroître.

Vous comptez parmi ces justes reproches le titre de mon écrit: *Défense du Clergé françois*. . . . Vous dites, Monseigneur, *qu'un seul ouvrage existe au quel on ait osé donner ce titre, et qu'il est de Bossuet*. Ce n'étoit pas certainement une *hardiesse* au grand Bossuet de prendre ce titre, et ce n'en a pas été une à moi de l'emprunter. C'est ce que j'ai fait. Il y'a cependant entre Bossuet et moi deux grandes différences relativement à cet objet. 1° Bossuet a rempli son titre avec sa supériorité ordinaire, et moi, je l'ai fait comme je l'ai pu; 2° Bossuet *défendoit* tout le Clergé françois, l'Eglise Gallicane toute entière, et je n'ai *défendu* que *le Clergé françois résidant à Londres et dans le reste de l'Angleterre*. Puisque ce Clergé étoit attaqué et que je prenois sur moi de le *défendre*, m'étoit-il interdit d'annoncer par mon titre que je me chargeois de cette honorable fonction que tout autre Prêtre, tout Laique même auroit pu remplir, sans qu'on eût dû y rien trouver à reprendre? j'ai donné à mon premier ouvrage le titre d'un excellent livre. On ne m'a fait aucune dispute à cet égard. Au reste, M^gr^, le reproche que vous me faites là, me cause un vrai plaisir; car vous m'accordez réellement tout le fond qui m'intéresse infiniment, lorsque vous n'attaquez que le titre auquel j'attache et dois attacher beaucoup moins d'importance. Dans la disposition où vous paroissez être, vous n'auriez pas épargné le fond, s'il étoit attaquable; et je suis bien autorisé par votre lettre à vous ranger parmi les nombreux approbateurs de ma *défense*, à moins que vous ne me marquiez quelque point de doctrine vraiment répréhensible.

J'ai reconnu depuis longtemps la bonté de votre cœur, et je vous prie de croire, M^gr^, que c'est avec la plus grande sincérité du monde que je vous témoigne ma reconnoissance pour l'intérêt que vous me marquez, et pour la charité qui vous engage à offrir à mes réflexions le sentiment que le grand Bossuet a tiré de S^t^ Grégoire de Nazianze.

Mais vous voudrez bien remarquer, Monseigneur, que j'ai eu le bonheur de le suivre exactement jusqu'à ce jour. De là je n'ai rien fait imprimer légèrement et sans l'approbation des hommes les plus habiles et des Evêques, tant qu'ils ont voulu voir mes ouvrages; la *défense* même a été vue et approuvée par un Evêque avant l'impression. J'ai pris pour bases de mes écrits les décisions de Pie VI., les réclamations canoniques, les autres écrits des Evêques de France, les autorités les plus imposantes; après toutes ces précautions, j'ai encore soumis au jugement de l'Eglise tous mes ouvrages, notamment la *défense* et la *réponse*. Aussi ces deux ouvrages ont-ils eu le plus grand succès, M^gr^ l'Evêque de Centurie ayant été réduit à ne censurer

le premier que pour certaines expressions qui lui déplaisent et qu'll ne spécifie point.

Je vous promets, Monseigneur, que je marcherai toujours, par la grâce de Dieu, sur la ligne honorable que j'ai suivie. J'y marcherai avec la même précaution que j'ai toujours fait, dans la crainte de devenir un de ces esprits *excessifs, insatiables et portés plus ardemment qu'il ne faut aux choses de la Religion.* Vous savez mieux que moi, M^gr^, que les principes généraux sont inutiles dans la pratique, si on n'en fait pas une juste application. Vous me permettrez donc de vous observer que vous deviez m'appliquer les maximes générales de Bossuet, en me montrant en quoi et comment j'ai été *excessif* &c.; faute de cette application indispensable je reste dans mes ténèbres, je suis toujours persuadé que j'ai dit purement la vérité, sans exagération et sans aucun mélange d'erreur. Car enfin de ce qu'il a existé des esprits du caractère que peint notre immortel Bossuet, il ne s'en suit nullement que je sois tel; et de ce que plusieurs se sont égarés dans des recherches trop curieuses sur la Religion, il ne faut en conclure, ni qu'on doive abandonner l'étude de la Religion, ni qu'on doive en particulier cesser de la défendre.

Les principes généraux de Bossuet étoient assez connus; mais il étoit beaucoup plus important de me faire voir par des exemples que je m'étois égaré. Voilà, M^gr^, ce que vous devez faire, si vous voulez m'être véritablement utile. Voilà ce que votre bonté pour moi me donne lieu d'attendre de vous, et le service inappréciable que je vous conjure de me rendre.

Si vous ne pouvez censurer le fond de mes deux derniers ouvrages, de grace, M^gr^, épargnez moi sur le titre et sur certains défauts de formes. Ce que vous en dites nuit au fond même auprès des esprits foibles, et va au détriment de votre propre cause. Je vous prie de me pardonner cette remarque. Vous connoissez mon cœur et mes dispositions envers vous. Je suis avec un profond respect,

Monseigneur,

Votre &c

(signé) BLANCHARD.

No. 81 HIGH STREET,
MARY-LE-BONE.

III.

LETTRE DE MONSEIGNEUR L'EVÊQUE D'ANGOULÊME EN RÉPONSE À CELLE DE M. BLANCHARD.

26 7^bre^ 1808.

Je condamne tout en vous, Monsieur, excepté votre attachement aux principes des Evêques légitimes de l'Eglise Gallicane, lorsque vous ne franchissez pas les limites qu'ils ont cru devoir se prescrire.

Vos formes, votre ton, votre présomption et je dirois presque un sentiment d'infaillibilité vous donnent l'assurance de vouloir dicter des lois à vos Maîtres et à vos Pères. Ils sont juges des temps, des circonstances et des lieux; ainsi tout écrivain qui s'écarte de ces règles peut être blamé par eux. Sachez, Monsieur, que les Evêques doivent connoître mieux que personne le moment où il est utile de parler; vous sentirez peut-être trop tard, Monsieur, le malheur de n'avoir pas déféré à leurs avis.

J'ai l'honneur d'être, &c.

icy finit la correspondance.

IV.

RAISON TRÈS SIMPLE QUI A PORTÉ MONSEIGNEUR L'EVÊQUE D'ANGOULÊME À DEMANDER QU'ON RENDIT À M. DESTREVAUX LES POUVOIRS, ET QUI A PORTÉ MONSEIGNEUR DOUGLASS À LES RENDRE.

M. l'abbé Destrevaux, attaché aux principes des Evêques de l'Eglise Gallicane, fut engarié et prié par M. Blanchard de vouloir le témoigner par sa signature, à quoi il eut la foiblesse de consentir, ne croyant rien faire de plus. Mais son étonnement à été au delà de toute expression, lorsque le pamphlet de M. Blanchard a paru, muni du titre *Approbation*, &c. C'est alors que M. Destrevaux s'est écrié qu'on l'avoit trompé, en lui ayant caché ce titre; qu'en adhérant aux principes des Evêques de l'Eglise Gallicane, il étoit bien loin de vouloir manquer de respect à M^gr^ Douglass du quel il n'avoit reçu que des marques de bonté.

Monseigneur l'Evêque d'Angoulême ayant exposé toutes ces circonstances à M^gr^ Douglass, il a bien voulu l'autoriser à lui rendre ses pouvoirs, M. Destrevaux ayant été purgé de cette revolte manifeste contre l'autorité Episcopale, parceque avec raison, M^grs^ les Vicaires Apostoliques ne prétendent pas être juges d'une affaire aussi importante pour l'Eglise que la question élevée entre le Souverain Pontife et les Evêques de l'Eglise Gallicane.

✠ Ev. D'ANGOULÊME.

V.

TERMS PROPOSED BY THE ARCHBISHOP DUKE OF RHEIMS, THE BISHOP OF BOULOGNE AND THE BISHOP OF UZÈS, FOR THE RECONCILING OF THE SEVEN PRIESTS WHO HAD SIGNED THE APPROBATION OF BLANCHARD'S *DÉFENSE DU CLERGÉ FRANÇOIS*.

Je n'ai pas eu connaissance du titre odieux qui a été mis à l'approbation que j'ai signée. Je n'ai jamais eu la pensée d'élever un tribunal de doctrine contre celui, où Monseigneur est assis à tout

juste titre. Je n'ai jamais entendu approuver des expressions contraires au respect dû au Souverain Pontife. Je reconnois et respecte la jurisdiction spirituelle que Monseigneur exerce dans son Diocese, et j'ai toujours été et serais toujours disposé à lui rendre l'obéissance et la soumission qui lui sont dues.

PROPOSED FORM FOR PUBLICATION DRAWN UP BY THE SAME.

Cum Presbyteri qui approbaverunt opus a me condemnatum responsa mihi dederint quae mihi satisfecerunt, et intima animi sensa, mihi exposuerint, quae mihi probata fuerunt, finem imponendum judicavi poenae quam illis inflexeram; et jam nihil moror quominus antea illis concessæ facultates prorogentur.

FORM OF RETRACTATION PROPOSED BY BISHOP DOUGLASS.

Je soussigné rétracte et sincèrement révoque ma signature que je trouve annexée a un écrit intitulé *Réponse a une Lettre signée Jean Douglass en date du 19* Août, *1808*, et que j'ai donné en approbation de l'ouvrage intitulé *Défense du Clergé Francois residant à Londres et dans le reste de l'Angleterre.* Lequel ouvrage avoit été condamné par Monseigneur l'Evêque de Centurie Vicaire Apostolique du District de Londres: et de plus, je condamne cet ouvrage, viz. *Défense du Clergé Francois*, &c., comme scandaleux, dérogatoire au respect dû au Pape Pie VII., vrai et légitime successeur de Saint Pierre, injurieux à son caractère et à son autorité, et conduisant au Schisme.

FORM SIGNED BY ABBÉ TREVAUX
(From a letter of the Bishop of Angoulême.)

Je soussigné certifie que M. Blanchard, connoissant mon attachement aux principes des évêques légitimes de l'Eglise gallicane, m'a proposé de signer sa défense; a quoi j'ay consenti, n'ayant jamais entendu donner mon adhésion qu'à la doctrine de l'Eglise Gallicane, et nullement aux mots injurieux contre l'autorité de N.S.P. Pie VII., que je reconnois toujours comme le successeur légitime de St. Pierre. Je déclare en outre que si j'eusse vu le titre odieux en ces termes, "Approbation de l'ouvrage condamné par Mgr. Douglass, &c." titre qui réellement n'y etoit pas, et qui même ne pouvoit pas y être, parceque la première ligne commençoit tout au bout de la page, je n'eusse jamais signé, ne voulant en aucune manière manquer de respect à l'autorité épiscopale, ni à Mgr. Douglass, duquel je n'avois reçu que des marques de bonté.

"Depuis ce temps je n'ay vu qu'ne fois M. B . . . rd dans la rue, qui m'a fait son compliment sur ce qu'on m'avoit rendu les pouvoirs sans rétractation, je n'ay fait, luy ay je dit, que ce que m'a demandé M. l'Evêque d'Angoulême, parce que mes pouvoirs m'ont eté

rendus; je continuay mon chemin. Cést la seule fois où je luy ay parlé, n'ayant conservé depuis ce temps aucune relation avec luy."

VI.

Extracts from the Works of Abbé Blanchard and Abbé Gaschet.

The following are a few typical extracts from the publications of Blanchard and Gaschet which led to their condemnation.

Lettre à Mgr. Milner, by Gaschet.

Je vous declare que dans toutes les occasions qui se sont souvent présentées, je me suis hautement prononcé contre la défection de Pie VII. jusqu' à protester, comme je proteste ici, que dans l'ordre religieux il est aussi étranger que le Juif, le payen et le publicain (p. 4).

Touts les autres écclesiastiques concordataires étant notoirement unis de communion, et ne faisant qu'un seul et même corps de Clergé avec les dits Constitutionels, toute la nouvelle église de France est donc schismatique (p. 38).

Défense du Clergé Francois, by Blanchard.

Pie VII. par la formation de l'Église concordataire a en effet revoqué les Brefs de son prédécesseur, et admis les principes fondamentaux de la Constitution Civile du Clergé (p. 23).

Comment Pie VII. a-t-il formé ce fantôme d'église? Il l'a formé sur les bases même que Pie VI. avoit condamnés comme impies, hérétiques, et schismatiques (p. 24).

Il est impossible de se ranger du côté de Pie VI. approuvé de l'église entière lorsqu'il condamne des erreurs, les principes sur lesquels la Concordat a été battie: il est nécessaire de ne pas suivre Pie VII. lorsqu'il fonde la Concordat sur ces mêmes principes (p. 27).

La Vérité Proclamée par ses Agresseurs, by Blanchard.

"*La Vérité Proclamée par un Acte Positif de Mgr. Douglass.*—M. l'Abbé de Trevaux, interdit par Mgr. Douglass, comme approbateur de la *Défense du Clergé*, où se trouvent rappelés les principes des décisions de Pie VI., et des Réclamations Canoniques des Evêques legitimes de France, avec les plus fortes conséquences que j'en ai tirées dans mes ouvrages; M. L'Abbé de Trevaux dit à qui veut l'entendre; il m'a dit a moi-même, en présence d'une personne respectable, qu'il avait reçu de Mgr. Douglass des pouvoirs écclésiastiques, *sans avoir fait* pour les obtenir *ni aucune rétraction*, ni même aucune démarche.

"Le fait est donc certain : ce digne écclésiastique, par une délicatesse qui l'honore, et dans la crainte d'être seulement soupçonné lorsqu' on le verrait exercer le ministère de s'être separé des autres approbateurs, ainsi que de l'auteur de la *Défense* approuvée, le rend public, autant qu'il est en son pouvoir. J'entre donc dans ses vues en le déclarant ici ; et c'est pour moi une vraie satisfaction.

"En cela je ne crains pas de déplaire à Mgr Douglass, qui, sans doute, n'a pas voulu faire un mystère de ce qui tient à l'ordre public. Nous l'avons prouvé ; ce Prélat n'a jamais condamné la *doctrine* de mes écrits, mais seulement *quelques expressions*, encore d'une manière vague. Il avoit bien noté d'abord plusieurs propositions pour être l'objet de ces censures ; mais on lui en prouva la vérité, qui est sensible, et il ne les inséra pas dans son acte. Naturellement doux et pacifique, il a eté entrainé, contre ses lumières, sa conscience et son penchant, à la malheureuse démarche dont il est résulté un si grand scandale qui retombe tout entier sur lui. Plus d'une fois il a tenté un retour honorable ; mais les Evêques de France n'ont pas entendu à la plus legère rétraction qu'il exigeait de moi ; et je ne lui accorderai pas le désaveu d'un seul mot. D'après cet exposé Mgr Douglass ne peut désapprouver la publication d'un acte de sa part qui révoque un premier acte, qui lui a été arraché et qu'il s'est reproché.

"Pour les Evêques legitimes de France, ils mettront à cette publication d'autant plus d'intérêt qu'ils ont vu avec peine censurer et interdire, sous leurs yeux, leurs propres prêtres, des prêtres *evidement et en tout point* irrépréhensibles, qu'eux-mêmes ils reconnaissent pour tels, aux quels, en effet, ils n'ont jamais reproché aucune erreur : d'autant plus encore que dans ces prêtres, ils ont vu censurer et interdire les décisions de Pie VI. qu'ils avaient confirmées, leurs propres Réclamations Canoniques, les principes qu'ils ont opposés au boulversement total de leurs églises, la foi même qui les retient en exil.

"Enfin je sers aussi l'Eglise que cette foule d'interdits et des censures, cet acharnement, ce concert opiniâtre de tant de Prelats à nier la vérité des malheurs qui l'accablent, au lieu d'employer leur divine autorité à les réparer, ont encore plus affligée et scandalisée ; mais qui aujourd'hui, comme les anges dans le ciel, se *réjouit* de l'heureux retour d'un de ces Prélats, et par conséquent approuve celui qui en constate la vérité.

"Pour le sentir, cette consolante vérité, rapellez vous ces principes qui n'ont pas besoin des preuves : il n'y a point dans l'Eglise de paix séparée, comme dans les états temporels ; c'est à dire, il n'y a point de paix avec un novateur, tandis qu'il n'y en aurait pas avec les sectateurs des mêmes nouveautés ; il n'y a en elle, ni acceptation des personnes, comme dans Dieu même qui la dirige et l'anime ; ni des grâces pour les impénitents, parceque la justice y règne et que le

repentir des coupables est nécessaire au maintien des lois et de la foi; ni de réhabilitation permise aux premiers pasteurs, sans la rétractation préalable des sectaires; et lorsque plusieurs y ont été punis pour le même prétendu crime, la reconnaissance de l'innocence d'un seul par les premiers pasteurs détrompés a toujours été la justification de tous.

"Ainsi, les *pouvoirs écclésiastiques accordés par Mgr. Douglass* à M. L'Abbé de Trevaux, approbateur de la *Défense du Clergé, sans aucune rétractation* de la part de ce dernier, *sont l'improbation de l'interdit lancé par Mgr. Douglass contre les autres approbateurs* du même ouvrage; ils sont encore *l'improbation des censures* prononcées par le même Evêque *contre l'auteur de l'ouvrage approuvé;* ils sont définitivement *un aveu public de la doctrine enseignée par cet auteur. La vérité est donc proclamée par un acte positif de Mgr. Douglass.*

"*Conclusion Generale.*

"Telle devait être nécessairement l'issue d'une attaque également injuste, violente, et denue de toute espèce de fondement. Mgr. Milner, premier aggresseur, instigateur universel, auteur de tous les désordres et cause primordiale de tout le scandale, mais opiniatre, est réduit à des ressources désespérées dès lors aux abois. Mgr. Douglass, esprit pacifique, mais charactère pusillanime, n'ayant pas eu la force de résister aux instances réiterées et aux poursuites acharnées de Mgr. Milner, n'a rompu *le long silence qu'il avait gardé* que par la concession des pouvoirs *qui sont une révocation de ces censures.* Les Evêques d'Irlande, séduits par des artifices concertés, effrayés par l'appareil de dangers imaginaires pour la Religion, tandis qu'on cachait les véritables, entraînés peutêtre les uns par les autres, ont d'abord gardé un silence approbatif de mon *Opposition* puis ils l'ont formellement confirmé.—De là CETTE LIGNE SCANDALEUSE ET PRESQUE GENERALE EN FAVEUR DE PIE VII. ET CONTRE LES EVÊQUES LEGITIMES DE FRANCE; en apparence, contre mes ouvrages, et, en effet, contre les Réclamations Canoniques."

VII.

EXTRACTS FROM THE PASTORAL OF THE BISHOP OF UZÈS, PRINTED IN LONDON (R. JUIGNÉ, 17 MARGARET STREET) 1811.

Nous declarons etre seul et legitime evêque de notre diocèse d'Uzès, y avoir pleine et entière jurisdiction episcopale (p. 4).

De n'avoir consideré celui que le Pape a crû devoir commettre au gouvernement de notre diocèse que comme un delegué momentanée du Sainte Siége et de n'avoir qu'à ce titre consenti à lui voir exercer les fonctions,—pour la sureté et validité desquelles nous lui avons donné nos pouvoirs conditionelles et révocables à notre volonté. Comme les conditions n'ont pas eté remplies, les dits pouvoirs ont été revoqués (p. 5).

APPENDIX B.

BISHOP MILNER AND THE VETO.

(THE various writings of Bishop Milner against the Veto are well known: see his *Supplementary Memoirs*, *Elucidation of the Veto*, *Orthodox Journal*, etc. The following are given (in addition to those quoted in chapters iv. and v.) to explain further his attitude during the earlier years, when he favoured the concession of a Veto in some form.)

I.

DR. MILNER'S STATEMENT OF HIS COMMUNICATION WITH THE RIGHT HONOURABLE MR. PONSONBY.

(Dated Thursday, May 26, 1808).

A misrepresented account of a communication between the Right Hon. Mr. Ponsonby and Dr. Milner, who is appointed agent to the Catholic Prelates of Ireland, relative to the interference of the Crown in the nomination of Catholic Bishops to the vacant sees in that island, having appeared in the newspapers, Dr. Milner finds it necessary, in justification of himself, to print, and circulate among his Catholic brethren, a few copies of the following true Statement of that communication.

Dr. M. on his arrival in London last week, found the most respectable part, both of the Catholic and Protestant Public, extremely warm and anxious upon the subject of those nominations, and decided in their opinion that something was necessary to be done at the present critical time, in order to convince the Legislature and the Nation, that none but good and loyal subjects would be appointed to those important situations, and that the public enemy should not have any influence over them. This, in particular, was the earnest wish of our great and generous advocate, the Rt. Hon. Mr. Grattan, and the Rt. Hon. Mr. Ponsonby.

The last-mentioned Rt. Hon. Gentleman had expressed a wish to see Dr. M., understanding that he was honoured with a commission from the Catholic Bishops of Ireland, immediately upon his

arrival in London. Accordingly, the very next morning after his arrival there, namely, on Saturday last (21 May) he waited on Mr. P., accompanied by Lord Fingall.

In the conversation which took place on that occasion, Dr. M. expressed a decided opinion that "the Catholic Bishops of Ireland neither would nor could, consistently with their Religion, give any sort of positive power to the Crown in this concern, in such a manner that it might actually nominate to vacant Catholic Prelacies, this being a mark of communion with the Catholic Church"; but he said "he had reason to believe they would consent to the Crown's using a Negative Power": which is to say, that after they themselves shall have determined, in the manner they are accustomed to do, "who is the fittest person to fill the vacant See, they will transmit the name of the person to His Majesty's Ministers, in order to ascertain whether they entertain any suspicion of his loyalty and peaceableness; which name, if they should object to, the Bishops will present another, and another in succession, to a reasonable number, until one shall occur against whose civil and social principles no objection shall be made."—To prevent any mistake in this important matter, Dr. M. afterwards sent the plan so laid down, in the form of a letter, to the Right Honourable Gentleman. In this letter he added, that "if the Pope, who alone can confer the spiritual faculties essential to the exercise of the Catholic Episcopacy, should object to the person so named and approved of, they, the Bishops" (in his opinion) "would name another or others in succession, till a Prelate should be found against whom the Crown would have no objection on one hand, and to whom the Holy See would think proper to confide spiritual powers on the other".

As Lord Fingall is ready to bear witness to the accuracy of the first part of this statement; so Dr. Milner's handwriting, which he believes is still in the possession of Mr. P., will prove the fidelity of the second part, as well as the whole of it. The selfsame statement which Dr. M. made to Mr. Ponsonby, he made also to Mr. Grattan.

This being so, Dr. M. maintains, *First*, that it appears he did not, in the above stated communications, intimate the most distant approbation, either on the part of his employers or of himself, of any change in the Faith or essential discipline of the Catholic Church, or of the King's becoming the spiritual head or governor of it.—*Secondly*, that he did not therein express the slightest intimation, that the Catholic Bishops could or would surrender to a Sovereign of a different communion the power of actually appointing, nominating, presenting, or recommending to Catholic Bishoprics. In further proof of this, it is to be added, that Dr. M. with the advice of a most

venerable and learned ecclesiastical personage, proposed that the Bishops should name one sole person at a time to the Crown, instead of three, to prevent it exercising an actual power of choosing one of the three, and also to prevent ambition and intrigues. It has been suggested to the writer, that, in case the names of three persons were sent up to the Castle at a time, they would soon be known to many Noblemen and Gentlemen, to whom it might be an important object, for the sake of a parliamentary interest, to procure the nomination of some one of them, over whom they might have, or expect to have, considerable influence, the detrimental consequences of this, in a religious point of view, are too obvious to need pointing out.—*Thirdly* as Dr. Milner is satisfied, that not only the Bishops in Ireland, but even His Holiness at Rome, see the propriety of, and earnestly wish, that the Catholic Prelates to be appointed in His Majesty's dominions, should not be obnoxious to him, and as they are in the habit of attending to this point in the elections which they actually make; so there are the strongest reasons to believe that they will make no objection, or difficulty, actually to consult the King's Ministers upon this point, previously to their sending any name or names for spiritual faculties to the Holy See.—*Lastly*, it appears from the present statement, that though Dr. M. gave his decided opinion upon the present measure, yet that he only gave it as an opinion, which he had formed upon the grounds stated above (and, indeed, upon others still stronger). Hence, if the pressure of the Catholic Question had not precluded the possibility of actually taking the sense of the Irish Catholic Prelacy upon the matter, he would certainly have done so, as he more than once signified in the communications. Hence also it follows, that the Catholic Prelates are not absolutely concluded in what their Agent has, in a short and pressing moment (when called upon by our best friends to say something to the point), expressed in the manner stated above. He rests, however, in the fullest persuasion that they will, upon the information which has now been sent to them, support him as far as he has actually gone; though, certainly, they cannot support him as far as he is reported in the Newspapers, and other uncertain vehicles of intelligence, to have gone.

J. MILNER, D.D.

LONDON, *May* 26.

P.S. The writer has the satisfaction to add, that Lord Grenville, to whom he had the honour of explaining his ideas of the present subject yesterday morning, gave a very accurate account of them, in his very brilliant speeches last night and this morning.

LONDON, *May* 28.

II.

Letter of Bishop Milner to the *Morning Chronicle*.

(The following letter appeared in the *Morning Chronicle* of November 19, 1808, and was copied into the chief papers both in London and throughout Ireland.)

Mr. Editor,

It was not till within these four days that I met with your *Chronicles* of October the 15th and 17th. Observing in these, and in some other periodical publications, the manner in which my name is introduced, for the purpose of aspersing some of the most distinguished and honourable characters in the United Parliament, as if they had proposed a plan for a certain restricted interference of the Crown in the nomination of the Catholic Prelates of Ireland, without any warrant for this purpose; and that my sentiments on this subject, expressed on one occasion, are quoted in opposition to those which I have expressed on another occasion—I think myself called upon to vindicate those personages, and to do justice to myself before the public, which, with your permission, will not be averse from hearing me, upon a subject on which it has repeatedly called for information.

I. Some few days before the discussion took place in Parliament upon the Catholic Petition, I was summoned to wait upon some of the leading Members; and was interrogated by them, in quality of Agent to the Catholic prelates of Ireland, as to the mode observed in filling up vacancies in their body, and as to the means of obtaining an additional pledge, which, in the then existing state of Europe, was thought requisite, that none but men of the most approved loyalty and peaceable conduct should be chosen for this purpose. My answer, in the different communications I had upon this subject, was to the following effect.—That I had no specific instructions on the subject from my Constituents; and that there was not time, previously to the expected debate of obtaining any instructions from Ireland: That I knew full well the Catholic Bishops could not give to his Majesty, nor he, as head of the Established Church receive, a right of patronage, or any other *positive power* in this concern, as this would be an incontestable pledge and act of *mutual religious communion*. Nevertheless, that I had very good reason to believe that the Catholic Bishops of Ireland would not be averse, under certain circumstances, and as a part of a general arrangement, from conceding to the Crown a certain *negative power, or veto*, such as would, in my opinion, afford the desired pledge; provided always, that this power were limited within the bounds necessary for the safety as well as for the inde-

pendency of our Church, and in such manner as to prevent the *negative power* from becoming a *positive power* and from being otherwise abused, for the oppression, corruption, or detriment of our religion.

Whoever duly weighs this statement, sees that our Parliamentary Advocates were warranted in the declarations which they made in Parliament, to the extent and in the manner here set down; and it is my duty thus publicly to avow the share which I took in the warrant under which they spoke of the presumed disposition of the Irish Prelates to make the desired concessions.—On the other hand, he will see, that I did not hold out any the most distant prospect of those Prelates yielding to the Crown any degree of ecclesiastical Supremacy, or actual power, direct or indirect, over the Catholic Church of Ireland. In short, he will acquit the Honourable and Noble Personages alluded to of the foul fraud imputed to them by their political adversaries; and he will acquit me also of the inconsistencies with which I have been charged in the newspapers with respect to my declarations and writings on different occasions.

II. In a matter of so much importance to many respectable persons, as well as to myself, and which is likely to undergo much discussion at the approaching meeting of Parliament, I shall be readily excused by the Public, for laying before it distinctly and fully the plan which I endeavoured to give a general idea of to the Members of Parliament with whom I communicated, as being unexceptionable, in my own private opinion, and as being likely to meet with the approbation of the Catholic Bishops in Ireland. We cannot then, as I have before mentioned, admit of any *direct power* in the Crown, over the appointment of our Bishops, or the other concerns of our religion; because this would be to acknowledge the Royal Ecclesiastical Supremacy, which, if we could reconcile to our consciences, we might spare our Parliamentary friends an infinite deal of trouble, by taking the oath provided for this purpose. In fact, this would be a formal renunciation of the tenets of our religion. Nor can we conscientiously yield to the Crown *an efficient indirect power* in these matters; because this would be to abandon its safety. For who does not see that in such a state of things as the present, when the Minister has equivalently declared it to be his duty to do all the mischief he can to our religion; and his noble relative has pronounced that our hierarchy must necessarily be destroyed; and when the most violent enemy of our Church in existence has been appointed a Privy Counsellor, for the express purpose of regulating the concerns of religion,—who, I say, does not see that if the Crown possessed an efficient, though indirect power, in the appointment of our Prelates, we should, on every vacancy, have the most heterodox or immoral ecclesiastic,

professing our communion, palmed upon us for the purpose of betraying or disgracing us?

Still, in my opinion, a negative power or veto, under due restrictions, may be granted, sufficient to satisfy all the fair claims of the State, and which will not expose our Church to danger under the most hostile Ministers.

The mode of filling up the vacant Catholic Sees in Ireland is the following. Upon the demise of a Bishop the officiating Clergy or the Chapter of the Diocese, meet, and choose three Clergymen, *Dignus*, *Dignior*, and *Dignissimus*, whose names they send up by what is called a postulation to the Metropolitan of the Province in which the Diocese is situated. Upon this he calls his surviving Suffragan Bishops to meet him in Synod, where the postulation is either approved of or amended as they, in their wisdom, think best. Application is then made to the Chief Pastor of the Catholic Church, for those spiritual faculties in favour of the candidate most approved of, which we deem necessary for the continuation of a Divine Mission from the Apostles down to the Bishop elect. Now this mode of appointing Bishops incontestably approaches nearer to that which prevailed in the Primitive Church during her golden ages, than any other which has since been adopted in the different ages and countries of Christianity, as is well known to learned men, who are versed in the ancient canons, and the writings of the Fathers, particularly of St. Cyprian, and as the unlearned may soon convince themselves by consulting the Ecclesiastical History of Fleury. In a word, it is impracticable in the existing circumstances to take from the Catholic Prelates of Ireland the actual power which they possess over the nomination of their future colleagues. Nevertheless loyal as they are in their principles and conduct, and bound as they are by their duty, their oaths, and their recent unanimous resolution, in their Assembly of Sept. 14 and 15, to "adhere to their former rule of nominating no person to the episcopal rank but men of the most approved loyalty and peacable conduct," there is neither law nor reason (should a proper arrangement for this purpose be settled) against their taking information on the subject of the candidate's loyalty, and even binding themselves to take such information, from the quarter which is most qualified and authorised to pronounce upon this subject, I mean his Majesty's Government, whether this Government be friendly or hostile to them. For example, were I a Catholic Bishop or Metropolitan of Ireland, and were I deliberating about the merits of a certain candidate for episcopacy; as I would take information from his fellow students concerning his talents and learning, from his fellow clergymen concerning his orthodoxy, from his parishioners concerning his morals, so I should have no difficulty of referring

the question concerning his loyalty and civil principles to the King's representative. If, after a space of time to be fixed upon, suppose a fortnight or a month, for the purpose of making due inquiries, I were informed by the Secretary of the Castle, that the result of them was unfavourable to the character of the candidate *Dignissimus*, as a subject or citizen, I should expect that some discussion would take place, in order that a meritorious character might not be ruined by groundless calumny or malicious whispering. In case, however, Government persisted in its objections, I should then, after consulting with my brethren, and being authorised by them, present the name of the candidate *Dignior*. Should he also be rejected on the score of disloyalty, after some inquiry into the grounds of the specific charges against him, I should, of course, with the same formalities, offer the name of the remaining candidate, *Dignus*.

In case all the three candidates were thus rejected, it would be necessary for the Metropolitan to give notice of the circumstance to the Chapter or Clergy of the vacant See, who, in consequence, would be necessitated to meet again, in order to make a fresh postulation, as the Bishops of the province would be obliged to assemble, in order to decide upon it.

From the simple exposure of this plan, as accompanied with the preceding statements, the nature of the restrictions upon the veto, which would be necessary for the security of the Church, clearly present themselves. First, it is requisite that the exercise of it should be confined within certain, and those narrow bounds: because the process which I have described is itself tedious; because the number of clergymen in each diocese, who are eminently qualified in every respect to preside over their brethren, cannot be supposed very great; and chiefly, because it is indispensably necessary to guard against the admission of a *virtual positive power* under the name of a *negative power*, and against the intrigues and corruption consequent to it.

For example, if a hostile Minister, after putting the *veto* upon A, B, and C, could continue it down to X and Y, he might force us to accept of his favourite Z, whom I suppose to be the very tail and disgrace of his cloth. Or (what would happen even under a friendly Minister) if the Crown had an unlimited veto, in point of number of times, whenever a Catholic See became vacant, twenty Noblemen or Gentlemen, to answer their own parliamentary purposes would hurry up to the Castle, and would insist that their respective dependent priest should be appointed; for which purpose they would tell the Lord Lieutenant that nothing more is necessary than to make use of the *veto* with respect to every other candidate.

For a similar reason, no three candidates, nor even two candidates ought to be presented together; because this would be to

attribute to the Crown a *certain degree* of positive power, and to open a field for intrigue with respect to those individuals. Lastly, it would be necessary to stipulate that the only ground for the exercise of the *veto* should be the presumed disloyalty or sedition of the candidate, in practice or in principle.

Such, Mr. Editor, is the nature of that *limited veto*, which I endeavoured to give an idea of (though perhaps not quite so clearly and in detail as at present) to the Members of Parliament with whom I conversed, previously to the Catholic debate, and which I represented as calculated to obtain the sanction of the Catholic Bishops of Ireland. There are copies of a short printed paper composed by me, and dated May 26, 1808, in the hands of different gentlemen, which will show that I have not materially varied in the present exposition, from that which I made at the time of the debates. It is very possible that some of the personages whom I had the honour of then communicating with may not have fully comprehended my meaning; and I have reason to suppose that the concessions, as they are here stated in this exposure, fall short of the idea, which the public formed of them as they were first laid down. Still I am of opinion that they are calculated to afford an additional pledge of loyalty and peaceableness of our prelates, and to produce a good understanding and mutual confidence between them and the government of the Country.

III. It is undoubtedly true, Sir, that the prelates in question, in the late assembly held in Dublin, September 14 and 15, have declared that it is "Inexpedient to make an alteration in the present discipline with respect to the mode of nominating Catholic prelates". But I must observe, in justice to myself, that the most distinguished amongst them for the situations which they hold, have avowed to me, and I am sure are prepared to avow again—"That I had reason to expect they would sanction the limited veto," and I must observe in justice to them by way of obviating the suspicion and obloquy to which they are now exposed, that to my certain knowledge, they nor any of them have ever been tampered with by Ministry or by any other persons, to disgrace their parliamentary advocates; much less that they or any of them are actuated by those factious motives, which there is too much reason to impute to some of their countrymen who are the most averse from the concession of the *veto*, or, indeed, by any other motives than a regard for the security of their religion, as they understand them. Lastly, I observe though there is hardly need of observing it, that the very term "*inexpedient*" as contra-distinguished from impossible and unlawful, shows that the Resolution in question does not contain any irrevocable doctrine or immutable discipline of their Church. And the explanations on this subject by the titular

Primate, Dr. O'Reilly, in his official letter to Lord Southwell and Sir Edward Bellew, lately published in most of the newspapers, distinctly states, that he is certain his fellow prelates entertained no such meaning of the term in forming their resolution, and that, in his mind, it refers only *to existing circumstances*. Now circumstances may obviously vary, and would thereby alter the *inexpediency* on which the resolution itself was formed.

It is not for me, Sir, to pronounce upon the Resolutions of a numerous prelacy, who have honoured me with their commission, when deciding upon a question which they consider as exclusively regarding the Catholic Episcopacy of their island; but as they have incurred a great deal of public censure, and are liable, in the course of two months, to incur a great deal more, it is an act of justice due to them, to state such motives of their determination as I have occasionally collected from their conversation. This is a subject also, upon which the public has repeatedly called for information. The following then is the substance of the language which I have at different times heard amongst them.

"Why are we Catholics, of all descriptions of subjects, not communicating with the Established Church, called upon to admit of an interference on the part of Government in the Election of our Chief Pastors? Government does not ask to interfere in the appointment of Presbyterian Moderators, Elders or Deacons, nor in that of Moravian or Wesleyan Bishops, nor in that of the Antinomian Methodistical Preachers, nor in that of the Jewish Priests and Lectors, some of whom, for reasons which we can assign, stand more in need of additional bonds upon them than we do. If it be said, that we possess influence over our people; do not all the abovementioned Ministers of Religion possess influence over their respective flocks, in common with ourselves?

"If on this precise account the King ought to appoint our Bishops, then he ought *a fortiori*, to appoint the Grand Master, and the other Masters of the Free Masons, the Directors of the East India Company, and of the Bank, &c. In short the Constitution ought to be destroyed, and a pure Despotism established in its place.

"We are told, that the Crown wishes to have the power of a *veto* in the appointment of our Prelates. Now the Crown actually possesses this power at present; since we, its sworn subjects, are bound in duty, and by our oaths, and by a new resolution which we have just passed, to 'nominate no persons to the Episcopacy but men of unimpeachable loyalty and peaceableness'; and to shew that we are better judges in this matter, than Government itself is, we affirm, that the only individual of our body during the space of thirty years, that is since we have been known to the public, upon the relaxation

of the penal laws, whose conduct has been impeached upon this head, is also the only individual who was appointed at the recommendation of Government, namely of a Minister of high rank who is now at the head of his Majesty's Councils. But what is most to the purpose, we have proved our loyalty in the most critical moments of public danger, when hostile fleets and armies have been upon our coasts, and when rebellion has raged among our deluded people. If it is proved, that any other description of Clergy, in times of riot, sedition or rebellion has exerted themselves more zealously, disinterestedly or successfully than we have done, we are content to be subject to new and exclusive pledges of loyalty.

"But what principally affects us, is the apprehension that advantage will be taken of us in any new convention which may be proposed, to extort a great deal more from us than we can possibly grant, even to save our lives. We think we perceive a disposition in our friends to raise their demands; and we remember the fable of the axe-head which applied to the forest for a sapling to make a handle of, and having obtained that, laid all the lofty trees prostrate. There is the greater reason for caution, on our part, as we have so often been deceived by men in power. At the time of the Union, in particular, what solemn and magnificent promises were not made us, particularly by a Noble Lord, who now stands high in the ministry, in case we would promote it. We performed our part honestly and successfully, but what is become of the promises of Government? What language does it now hold to us?

"And why, after all, should we commit ourselves upon questions of such vital importance to our religion, by making concessions to the Crown, when the Crown itself does not call for these concessions, but tells us plainly that it will enter into no negotiation whatever with us, and when the best recommendation to its favours is a determined opposition to us?

"Lastly, we find, that a vast majority of our people is decidedly against the concession, insomuch that we should lose their confidence and our influence over them were we at present to sanction it. Now it cannot be the wish of our Parliamentary friends, or of the Ministers themselves, that we should be deprived of our influence which we have heretofore employed with so much success for the public safety and peace."

Such, Sir, I can assure you, is the substance of language which I have from time to time heard from one or other of the Prelates who formed the resolution so much objected to. If it is not received in full excuse, I think it will be accepted of in extenuation of the decision by those persons of candour who expected, as I myself most certainly did, one of a different tenor. With respect to the last-mentioned

argument, which probably will be considered as the strongest of the whole, I must remark, that the ferment which has prevailed among the lower and middle orders of the people on the subject of the Veto, was excited partly by inflamed reports of the Parliamentary debates in the newspapers, which represented the concession as a *virtual acknowledgment of the King's Spiritual Supremacy* and partly by the manœuvres of a powerful party in Dublin, who considered the measure of laying the foundation of a future good understanding and confidence between the Catholic Clergy and Government, as an attempt to strike the sceptre of that power, which they claim over the minds of the Catholic public, out of their hands. They accordingly revenged themselves upon me, though only a subordinate Minister in the business, by torrents of abuse, which they continued to pour out against me in the *Dublin Evening Herald* during the months of August and September last, and at length by impeaching me, in the Parliament of Pimlico, as a "hired emissary of the Minister" and by sentencing me to be hanged and burned in effigy.[1] I trust, however, that neither hope nor fear, that neither bribery nor persecution, will make me swerve in my humble sphere, from the proper line of my duty as a faithful subject, and an orthodox Catholic, by "giving to Cæsar the things which belong to Cæsar, and to God the things that belong to God".

I am, &c.

JOHN MILNER.

WOLVERHAMPTON, *Nov.* 13, 1808.

III.

LETTER FROM BISHOP RYAN, COADJUTOR TO DR. CAULFIELD, BISHOP OF FERNS, TO DR. HAMILL, DEAN AND VICAR-GENERAL OF THE DIOCESE OF DUBLIN.[2]

[The letter is undated, but the postmark is December 17, 1808.]

MY DEAR SIR,

In the midst of all my anxiety and local trouble, Dr. Milner's Letter to the *Morning Chronicle* made its appearance a few days ago in the Waterford paper. However ill qualified for such a task, and with such a person, I could not resist a very violent temptation to offer to his Lordship a few remarks on his letter and the general bad tendency of it. I ventured to tell him, what was a fact, that the vote of thanks would not have passed unanimously were the Bishops not assured by Drs. Troy and Moylan that he would not in

[1] See *Dublin Evening Herald*, for Sept. 26th, 1808.
[2] *Dublin Archives.*

future either write or speak in public in favour of the Veto. I stated to him the history of the Resolution passed with regard to the Veto, in order to point the impossibility of its bearing the meaning affixed to it by Dr. O'Reilly. I also stated to him the divisions the question has and is likely to produce, and appealed to his religion and begged he would not trouble our repose by experiments on our discipline. In answer to my letter, I had a very long one from him on Sunday last saying everything except what might be considered an answer. He never touches on the points alluded to, pretends to be ignorant of the extent of our meaning, and assumed Dr. O'Reilly's letter as a good key to it. As usual, he holds out threats to all the Bishops and threatens me in a most particular manner with the high indignation of many great personages for having been the sole cause of so obnoxious a resolution. He says "it is understood (he does not know how) by many great personages that you, my Lord, made a long speech at the opening of the meeting against the measure, and by it determined the votes of the Bishops". I will send you by the first safe opportunity my letter and his answer. In a late visit which I had from Sir Frederick Flood, he told me that a similar report of me had been spread among the friends of Emancipation in this and the Co. Waterford. I have no objections to take my share of the odium attached to the Resolutions by those personages, but I fear the report has been spread for no good purpose. I laughed at the idea when mentioned by Sir Frederick, not imagining it could be credited. As, however, I find that the report has gained circulation, I submit to you whether it would not be well done to explain the whole matter in an ostensible letter to Lord Fingall or Mr. MacDonnell, who would show it to him. My object in such a letter would be not to exculpate myself, but to prove that long before the meeting the great majority of the Prelates had made up their minds to reject the proposal. I will certainly be governed by your opinion and advice. Dr. Milner states that were it not for him, Parliament would have insisted on much more, and says that at the opening of the session, some great personages will exhibit documents to prove that they had authority to state at least as much as they did. I suspect these are Drs. Troy, Moylan and Dillon's letters to Lord Grenville, &c. If so, it will be sad work indeed. I should mention to you that poor Dr. Caulfield is so highly gratified at the issue of the business that he declares his dissatisfaction that a vote rescinding the Resolutions of '99 was not passed. I had a letter a few days ago from Dr. Murphy of Clogher. He is, *entre nous*, highly indignant at Dr. O'Reilly's conduct, and says many of his *confrères* feel as he does. Pray will you be so good as to let me know how the Dundalk meeting succeeded? If you cannot write yourself, beg of Mr. Byrne to do it for

you. As a meeting of the Trustees will be held in January, I defer presenting the letter to Rome to the Archbishops until then, by advice. Dr. Troy wrote to me some time ago a letter consisting of six lines praying an authentic copy of the Resolutions. He had already got one before I left Dublin. Mr. Parnell is, I understand, violent in our favour. Would it not in that case be well done to put him in possession of every item of this transaction, that he may be enabled to repel any attempt to impose on the House of Commons? Now do, my friend, give me your opinion, and believe me,

Ever sincerely yours,

P. Ryan.

Compliments to Messrs. Byrne and Clinch. Your letter to Dr. Caulfield has had some effect, and will have more.

APPENDIX C.

THE MEETING AT ST. ALBANS TAVERN AND THE FIFTH RESOLUTION.

THE accounts given by Dr. Milner of the meeting at St. Albans Tavern on February 1, 1810, can be found in his *Supplementary Memoirs;* in the *Orthodox Journal;* and in his various printed pamphlets, etc. An account by Dr. Poynter was included in his Apologetical Epistle, which was printed in the Appendix to vol. iv. of Butler's *Historical Memoirs* (third edition, 1822). The following four letters were among the *pièces justificatives* of that Epistle.

The originals are among the Archives of the English College at Rome, and are now published for the first time.

I.

LORD CLIFFORD TO DR. POYNTER.

(About March, 1810.)

Lord Shrewsbury was called to the chair, but on his declining to take it from indisposition, Lord Stourton supplied his place, and desired me to propose the resolutions which I had before consented to second. I thought myself incompetent to do so, as I was not consulted when they were framed, but as Lord Stourton was present when Lords Grey and Grenville suggested the Fifth Resolution, and agreed to explain the nature of it, in case I would bring them forward, I consented. I had not seen a copy of them ten minutes before I proposed them to the meeting. After I had read them your Lordship expressed a wish not to sign them till you had an opportunity of consulting with Bishops Douglass and Gibson, and the more so as you said you understood such to be the wish of Bishop Milner, who also was present. The meeting was desirous of complying with your Lordship's wishes, but it was suggested that the petition was not supposed to be signed by the Catholic body at large, but only by a sufficient number to render its authority respectable; that the gentlemen named to present it to Lord Grey and Mr. Windham were shortly to leave town and that Bishop Gibson might sign it afterwards if he thought proper; but at all events it was proposed by Mr. T.

Weld to be at Mr. Jerningham's chambers for three days that your Lordships might deliberate on it. I then informed your Lordship that I had dined the evening preceding with a party of R. C. noblemen and gentlemen in company with Bishop Milner: that the Resolutions were then read and submitted to our consideration; that he refused to give us any other reason for his not signing the resolutions than his being an agent for the Irish Bishops who he was convinced would disapprove of the Fifth Resolution; that he would not again expose himself to be burnt in effigy, &c., &c. I understood that your Lordship then asked Bishop Milner whether he had any theological objection to offer against signing the petition, and that his answer was the same to your Lordship as it was to us the evening before: and your Lordship's judging this objection to be of a political nature, was in reality the precise motive that induced your Lordship to sign the petition at that moment. Bishop Milner in his letter solemnly protests he never made any such declaration the evening before, either as to the terms or sense of it; and adds that he has demonstrated to your Lordship and Bishop Collingridge that you were deceived, and (if I take the meaning right) forced into the subscription of the petition by my misrepresentation. The question therefore is whether Bishop Milner did or did not hold the language I reported to your Lordship at St. Albans Tavern on the 1st of February the preceding evening. My testimony cannot be taken as a party concerned, only as far as it may be confirmed by the noblemen and gentlemen present, to whom I beg to refer your Lordship. They consisted principally of Lords Stourton, Dormer, Sir John Lawson, the four Messrs. Weld, Jerningham, &c. &c. But I will again assert that the part I took in bringing forward the Resolution was adopted in consequence of Bishop Milner's telling me that evening that I might sign them, or as he acknowledges in his letter, the saying that I might sign them if I pleased. I submit to your Lordship's judgment whether I was not justified in supposing Bishop Milner's objection to signing them was merely political? Could I suppose that he would have given me such an answer as a Bishop, was he convinced in his own mind that they were subversive of our present Church discipline? He had heard my objections to the Fifth Resolution, and knew that I was fixed upon to second it. I did not ask the question to teaze him but from a wish to avoid dissension among us by my refusal unless on conscientious motives. Bishop Milner concludes his note respecting me by saying that if I was guided by his opinion it is not too late to retract my signature, and that I may lay as much blame on him for what is past as I please. There appears a little too much of humour in this conclusion; for can he really wish me to retract my signature from a Resolution which he allows pledges us to nothing, that is signed by all

our Prelates, besides himself, that the Irish Bishops themselves have declared only to be possibly prejudicial to the integrity and safety of our Church discipline? I cannot think he does. I am sorry his Lordship is so little acquainted with my dispositions respecting him as to suppose that I am seeking opportunities for blaming him for what is past. I feel too powerfully the obligations which I in common with the Catholic body have to him for the services he has rendered us by many of his publications. I have expressed these obligations both in public and in private, and I appeal to Bishop Douglass and your Lordship whether in the different conversations we have had together on the imprudence of some of the late publications I have not, instead of wishing to expose them, endeavoured to throw a cloak over what is past, and even on this occasion I should not have intruded myself on your Lordship's time did I not think it incumbent on me to justify myself to your Lordships from the charge of misrepresentation and falsehood which I hope your Lordship will think Bishop Milner has unadvisedly brought against me.

I have the honour to remain, with great respect,

Your Lordship's most obedient and very humble servant,

CLIFFORD.

The following three letters refer to the dinner at Doran's Hotel the day before the meeting, and are also at the English College at Rome. They appear to have been taken to Rome by Dr. Poynter at the end of the year 1814, in order to support the statements made by him in his Apologetical Epistle. He probably left them with the Rev. Paul MacPherson, by whom they would have been handed to Dr. Gradwell when he took up the agency of the vicars apostolic.

II.

MR. HUMPHRY WELD TO DR. POYNTER.

BRIDPORT, *April* 5*th*, 1814.

MY LORD,

Having understood that it would be satisfactory to y^{r} Lordship, that I should state to the best of my recollection what passed between my Father, Bishop Milner and myself at the Dinner at Sir John Lawson's when the 5th Resolution was brought forward; I have no difficulty in stating that my Father and I did apply to Bishop Milner to know if we could conscientiously sign that resolution. He then positively said, we could sign it, and the following day, after it had been discussed, recommended it, and his only objection to signing it himself appeared to be that he was an Irish agent,

and had already been burnt in effigy—I am, My Lord, with the greatest respect,

Your obedient Humble Servt.

HUMPHRY WELD.

RT REVD DR POYNTER,
CASTLE ST., HOLBORN, LONDON.

III.

LORD CLIFFORD TO DR. POYNTER.

LONDON, *August* 14, 1810.

MY LORD,

I take the opportunity of Sir Edward Blount's return to Old Hall to answer your Lordship's letter which I should have done sooner had I not been absent from Town and been much engaged since my return. Mr Ryan's sermon from which I extracted the passage I gave Bp. Douglass was printed in Ireland—I understood it was preached in Bp. Moylan's Diocese and sent to England by Bp. MacCarthy with a letter from him in which he expresses his opinion that it conveys the opinions of the majority of the Catholics of Ireland. There was an idea of having it printed here, but I believe it is given up. Had it not been publicly spoken from the Pulpit and countenanced by Prelates so deservedly respected, I should not have noticed it any more than the writings of Keogh, Luke Plunkett, Clynch, &c., &c., who have been so liberal in their abuse of yr. Lordship and the English Catholics. But if the Pulpit is permitted to become the Vehicle of calumny and falsehood, we may really begin to fear the Church is in danger.

The words of Lord Grey when speaking in the House of Lords on Lord Donoughmore's motion, as near as I can recollect, were that if Catholic Emancipation was to be the price of sacrificing one tittle of our faith or discipline he would not urge it on such conditions. But sincerely as he was attached to the Protestant Establishment he was convinced that full security might be afforded to it without infringing on any of the tenets of the Catholic religion.

As to what passed at Dorant's Hotel after dinner,—which though consisting of a very few Gentlemen (about 13) Bp. Milner dignifies with the appellation a grand Political Dinner—I can only say that neither Mr Weld's Family nor myself had any notice of it till an hour or two before, when Mr Jerningham read the resolutions (that were to be proposed the next day) to us for the first time, I strongly objected to the manner in which the 5th Resolution was worded, as it seemed to me to admit a construction which the Gentlemen who attended Lords Grey and Grenville on the subject in the morning

assure us they never intended, and I withdrew my opposition to it on Bp. Milner's assuring me that *I* might sign it, though *he* would not. On my pressing him to know why *he* objected to sign it when he told me that *I* might, he said his signing it would give offence to the Irish Bishops to whom he acted as Agent, that he should again be burnt in effigy, &c. &c. But I do not recollect his saying that he would not act in the business as Vicar Apostolic of the Midland District, though I think he said that he would not hinder any of his Clergy from signing it. Having now answered the questions your Lordship has put to me, to the best of my recollection, I must add my sincere hopes and prayers that your Lordship may be enabled to come to a proper understanding with Bp. Milner, that unison and harmony will soon be restored, and that his talents will again be successfully employed in combating the Enemies of our holy religion. I have the honour to remain with great respect,

Your Lordship's most ob^{t} and very Humble Serv^{t},

CLIFFORD.

THE R^{T} REV^{D} D^{R} POYNTER,
CASTLE ST.
HOLBORN,
LONDON.

IV.

THE SAME TO THE SAME.

UGBROOKE, *Nov^{r} 19th*, 1814.

MY LORD,

I learn with great pleasure from your Lordship's letter that you propose to proceed to Rome on the 28th in consequence of the Pope having repeatedly expressed a desire to see you; and the more so as your Lordship will have an opportunity of refuting the calumnies that have been circulated against your Lordship and the English Catholics. I regret much it is not in my power to see your Lordship before your departure, and to peruse the important papers your Lordship possesses. As to the Dinner at which I was present the day before the Meeting, and which Doctor Milner styles the Grand Political Dinner at Sir J. Lawson's.—So far from its possessing any of the qualities necessary for so pompous a designation, I understood that Sir J. Lawson, who was I think at Gallini's Hotel,[1] had invited 6 or 7 Gentlemen to dine with him, among whom was M^{r} Jerningham; & as some Gentlemen wished to meet to talk over the proceedings to be adopted at the meeting the following day, they invited late in the evening, myself, M^{r} Weld & his Family & a few others to the number I think in the whole thirteen. After

[1] This is a lapse of memory. The dinner was at Doran's Hotel.

Dinner Mr Jerningham informed us that Lord Stourton, Sir Jn Throckmorton, Mr Butler and himself had waited on Lords Grey and Grenville by invitation, and that these noble Lords had penned certain Resolutions they wished the Roman Catholics to adopt at the meeting on the following day, and that he would submit them to our consideration. I thought a trifling verbal alteration in the 5th resolution would render it more clear, when Lord Stourton justly observed, that if the alteration was not absolutely necessary, we had better adopt it as written by the above named Lords, as without any alteration taking place they remained pledged to support us on these grounds. Hitherto Doctor Milner had taken no part in the conversation, but on being asked whether he would sign them, he exclaimed loudly that they would give offence to the Irish, that we should wait till the opinion of the Irish was known, that as Irish Agent he could not sign them, that he had already been burnt in effigy, &c., &c., &c. Wishing, however, to withdraw my objection, I asked him if I at least might sign them. There seems to have been a complete misunderstanding as to the answer between us. It appeared to me that Dr Milner said, I might, but he would not; this he denies,—but it is perfectly clear that Mr Weld and all his Family applied to him to know if they could sign, and in consequence of his answering in the affirmative, Mr Weld and all the Family signed them. It was the impression of the whole company that Dr Milner did not sign the Resolutions for fear of giving offence to the Irish, and this I stated to your Lordship at the General meeting the ensuing day. It is perfectly clear that the Veto did not originate with the English Catholics, notwithstanding Dr Milner endeavours to affix it to them. It is also clear that the English Catholics have shewn the greatest deference to the decisions of the holy see & their Ecclesiastical Superiors. I know that Dr Milner has brought forward transactions that took place many years since & which otherwise would I hope have been forgotten; but we speak of the present times; unfortunate impressions of what passed in those days still remain by countenancing the Cisalpine Club instituted in those times in opposition to certain Ultramontane doctrines supposed to be maintained by the See of Rome. At present I am told it [is] merely a convivial meeting; still considering its origin it is to be lamented the name should still exist. Be so good to inform Lord Stourton and Sir J. Throckmorton, &c., that if a farther subscription is wanted to pay the expenses of the journey, I will put down my name for £25.

My son is at Vienna. He will probably be at Rome in Jany If I can be instrumental in any ways contributing to the success of

your mission, I beg your Lordship will be persuaded that no one is more desirous of being useful to you than yr. Lordship's most

Obt. Humble Servt.

CLIFFORD.

RT. REV. DR POYNTER,
CASTLE ST., HOLBORN, LONDON.

V.

MR. EDWARD JERNINGHAM TO DR. TROY.

(The following letter, written the day after the meeting at St. Albans Tavern, throws considerable additional light on the origin of the Fifth Resolution.)

LONDON, *February* 2, 1810.

MY LORD,

I have sent to your Grace by this day's post the British Press paper, containing the Resolutions of the English Roman Catholics.

I shall not attempt to state the anxiety I have been under since the publication of Lord Grenville's letter to Lord Fingall.

Immediately after the appearance of that very rash and ill-judged measure, I waited upon Lord Grenville and Lord Grey to know whether they intended that the English Catholic petition should also be subject to the question of the Veto?

Their reply was in the affirmative, and I was obliged then to state distinctly the absolute impossibility of annexing any such condition to the English Catholic petition, even were we agreed upon the measure ourselves, but their being, moreover, pledged to co-operate with the Catholics of Ireland in all questions of moment, any negotiation upon the subject was, I feared, impracticable.

Lords Grey and Grenville then stated as a *sine qua non* of presenting our petition to Parliament that it should be accompanied at least with a simple declaration of "our willingness whenever an enlarged and liberal system should be adopted in our regard to acquiesce in any arrangements consistent with our religious principles and the discipline of the Roman Catholic Church as should be deemed reasonable, in the future nomination of our Vicars Apostolic".

So general a declaration as this seemed unobjectionable, but still the express mention made relative to the future nomination ot our Bishops was not calculated to do away with the existing ferment upon that head, and I requested therefore that we might be allowed to use such language only as was an echo of the Oaths and declarations we had already made without any direct or indirect reference whatever to the future nomination of our Vicars Apostolic.

Lords Grey and Grenville appointed another day for renewing the discussion and I accordingly attended upon them on Wednesday last, together with Lord Stourton, Sir John Throckmorton, Mr. Butler and Mr. Silvertop.

Lord Grenville in our presence wrote in pencil verbatim the Resolution No. 5 of our meeting of yesterday; Lord Grey then passed the pencilled letters over with his pen, and delivered the paper to us as containing all that was expected or required on our part, to declare under existing circumstances, and he further expressed his readiness with the accompanying instrument, to present and move the House of Lords upon our petition.

Lords Grey and Grenville then distinctly added that the question of Veto could no longer be talked of and that if the Catholics of England would simply annex the declaration in question to their petition, they trusted it might prove the medium of general conciliation. Under these circumstances the meeting of yesterday took place, and we were unanimously of opinion that it was impossible to object to a declaration so vague and general as to fall short even of the substance of those Oaths and declarations we had long since assented to.

The Fifth Resolution was accordingly passed, and it was also engrossed in the form of a petition (to accompany the general one), and which all present (except Bishop Milner) put their names, *viz.* Bishops Douglass, Collingridge and Poynter, Lords Shrewsbury, Stourton, Fauconberg, Arundell, Dormer, Clifford, Sir John Throckmorton, Sir John Lawson, Sir Carnaby Haggerston, Mr. Weld, &c. &c. and all the London clergy, &c. &c.

The forms of Parliament require that any paper of this description should be in the shape of a petition, and it will therefore be presented, together with the original petition, to which we have annexed about ten thousand respectable signatures.

It is with infinite satisfaction that I have now to communicate the general hope and expectation prevailing among us that this unexpected turn in the minds of our public friends may produce the most happy effect and will do away altogether with the dangerous impression which has been, I fear, created in Ireland by Lord Grenville's letter.

There can be no doubt therefore now but that if the petition from Ireland could be accompanied by the declaration we have annexed to ours, that all further question of Veto would at once be done away, and Catholics of England would feel the highest satisfaction if they could imagine they had been in this instance the medium of general conciliation upon this most important subject.

Your Grace will excuse the hurry of this communication, being extremely pressed with the business relative to our meeting of yester-

day. You will consider this, however, as a private communication as far as relates to the public; but I beg it may be considered as official from me, as Secretary to the Catholics of England, at your Grace's Synod on the 7th, and at the Committee in Crow Street, to whom I request your Grace will have the goodness to communicate it. I should be particularly happy in the honour of an early reply to this letter, and am, my Lord, with the highest respect,

Your Grace's devoted servant,

EDWARD JERNINGHAM.

APPENDIX D.

RESOLUTIONS OF THE VICARS APOSTOLIC ASSEMBLED AT DURHAM IN AUGUST, 1811, RESPECTING THEIR DIFFERENCES WITH MILNER AND THE IRISH BISHOPS.[1]

(THE case can be found stated from the point of view of the latter in the *Synodical Letter of the Prelates of Ireland*, dated November 12, 1813, and addressed to Cardinal di Pietro, Prefect of Propaganda: see Milner's *Supplementary Memoirs*, p. 296. The statement on the other side, drawn up by the English Vicars Apostolic at their meeting at Durham in August, 1811, is given below, being now published for the first time. The two documents were quite independent of each another. The English Vicars Apostolic never saw the letter of the Irish Bishops until it was published by Milner in 1820, and it is doubtful whether the Irish Bishops ever saw the Durham Resolutions.)

We, the undersigned Vicars Apostolic, considering how much our official conduct has been misrepresented in various statements and widely circulated publications, feeling as we do the vexatious interference of unauthorised individuals in the management of our Districts, and even threatened with greater evils, after mature consideration, and having invoked the assistance of the Holy Ghost, have concluded on the following Resolutions:

Declaring at the same time that in framing these Resolves we have no wish to provoke unnecessary discussions, or to set up any pretension to authority or jurisdiction over any of our Brethren Bishops, or in their respective dioceses: but that our only motive is to do justice to our own characters, and to repel the scandal which may arise to the faithful committed to our pastoral care in the only way that now lies open for us, since every mild and conciliatory measure has been already resorted to without effect.

Resolved. First. That as Vicars Apostolic we in our respective Districts hold our jurisdiction immediately from the Vicar of Jesus Christ on earth; that representing him, acting in his name and by his authority, to him only either in person or through his appointed

[1] *Westminster Archives.*

Delegate, we are responsible for our official conduct: and that we consider every act of interference in the government of any one of our Districts, and every attempt to call us to an account for the same by any other person or persons whomsoever, of whatever rank or dignity, whether conjointly or separately, as injurious to the Sovereign Pontiff, derogatory to his sacred authority, and an invasion of our own rights: and therefore deem it our duty to make at all times to every such attempt or interference the most strenuous resistance.

Resolved secondly, that in the matter of certain writings injurious to the Sovereign Pontiff and of a schismatical tendency, published in one of our Districts, the mode of Canonical denunciation of the writings and of the authors of them to the Ecclesiastical superior of that District would, in our estimation, have been more regular and have more completely met the evil and repressed its effects, than the public denunciation of them by a printed Pastoral Letter, from one who was not the Superior of the District in which the scandal originated. Considering also that at the very time, and previously thereto, the Superior of the said District had employed and was employing prudent and efficacious means to remedy the evils, we cannot but regard the publication of the said Pastoral letter, implying imputations of a want of zeal and vigilance in the Superior of that District, and also of his Clergy, and causing the scandal of protracted and violent disputations, as an act of unwarrantable, vexatious and mischievous interference. Therefore if this interference or the acts of some neighbouring Prelates, or the multiplied publications that followed, have been represented to his Holiness as having repressed the impending evil, the statement is not correct, and justice is not done to the zeal and vigilance of the Vicar Apostolic of the said District.

Resolved thirdly, that the Fifth Resolution entered into and signed by a numerous and respectable meeting of Clergy, Noblemen and Gentlemen on the 1st of February, 1810, in its natural and obvious meaning, imports no more than "that Catholics are persuaded that the Legislature may adequately provide for the maintenance of the civil and religious establishments of this Kingdom without requiring of Catholics any conditions which are inconsistent with the strictest adherence on their part to the tenets and discipline of the Roman Catholic religion; and that any arrangement founded on this basis which gives satisfaction and security to Catholics and extends to them the full enjoyment of the constitution of their country will meet with their grateful concurrence": that in this its natural and obvious sense, the said Resolution involves nothing that a Catholic may not conscientiously sign or agree to; and in this and in no other sense was it proposed, understood and signed by the Catholics assembled on the occasion.

Resolved fourthly, That the laity having determined on executing a plan of domestic policy by suing for their emancipation from civil disqualifications, and having in the most edifying manner professed a determination not to yield any one part of their Religion for the sake of any temporal advantage to be thereby obtained, appealing for their sincerity to their past and present sacrifices on account of their Religion, and having given the most solemn assurances that nothing should be acceded to in ecclesiastical matters without the approbation of the Vicars Apostolic, to whose judgment all particular measures affecting the interests of Religion should be previously submitted; it was not only harmless, but in the circumstances a conscientious duty on the Vicars Apostolic and the clergy to sign the said resolution.

Resolved fifthly, that all the constructions given to that resolution in different publications, exhibiting it as a pledge to acquiesce in arrangements fatal to Religion, or possibly prejudicial to the safety of Catholic tenets and discipline, are imputations on the characters and judgments of those who signed it, repugnant to its natural and obvious meaning, and unwarranted by any of the concomitant circumstances in which it was proposed and signed.

Resolved sixthly, that the said Resolution leaves the Catholics at full liberty to reject at all times any arrangements, should any such be proposed, which are prejudicial to the integrity and safety of their Church discipline, or which do not give satisfaction and security both for that and for the tenets of their Religion.

Resolved seventhly, that Catholics by the aforesaid Resolution have not bound themselves to any specific measure whatsoever, but have merely declared that nothing is wanting on their part towards conciliation and that they are willing to accede to any arrangements not inconsistent with the faith and discipline of their Church.

Resolved eighthly, that any measure tending to innovate on the established mode of appointing Catholic Bishops would without the consent of his Holiness be an invasion of his prerogative, and an act of itself void and of no effect: and that as his Vicars we never have pledged ourselves to any such measure, nor do intend nor ever did intend even to treat on any such subject, unless previously authorised by his Holiness so to do.

Resolved ninthly, that it is notorious that no opposition was made to the said Resolution of the 1st of February, 1810, on any religious grounds; that the motives assigned by one of our colleagues for not signing it were merely political, and also from personal considerations: that the same Vicar Apostolic acknowledged the innocence of the measure by publicly declaring that no clergyman should be censured for acceding to it; that a Catholic Nobleman who put

the question distinctly to him might conscientiously sign it, and by declaration made both before and after the Resolution was publicly agreed to that his reason for not signing was, he was Agent for some other Prelates: that all the obloquy cast on the Vicars Apostolic and the Catholic Clergy and Laity who did sign it has originated in misrepresentation of its meaning and mis-statement of facts and circumstances: and that it is owing to these causes that the opposition said to be made to this Resolution has been qualified *Apostolical Firmness* and our consent in signing it deprecated and calumniated as weakness and prevarication.

Resolved tenthly, that comparing the Fifth Resolution of the English Catholics with the Sixteenth Resolution of the Irish Prelates in Synod assembled February 26, 1810, it appears that the object of both is exactly the same, *viz.*, to profess a willingness to give to the Civil Government every satisfaction consistent with our Religion: and that the only difference in the terms is that while the English Catholics secure for themselves the integrity of the discipline of their Church without restriction, the Irish Prelates declare that they seek for nothing in its discipline beyond what is essential, from which they seem not to provide for points of accidental and changeable discipline, such as are the Celibacy of the Clergy, Communion under one kind, the Liturgy in the Latin Language, &c., which the English Catholics have reserved by the terms of their Fifth Resolution.

11. That as no one but his Holiness has any spiritual jurisdiction over any of the Vicars Apostolic, nor any of the Vicars Apostolic in the Districts of each other, the Remonstrance from one of our colleagues and a letter from a neighbouring Most Reverend Prelate to one of the Vicars Apostolic demanding an account of an act of jurisdiction done by him in his own District, and threatening a breach of communion if the account be not satisfactory, is an unjustifiable interference; especially as from the well-known circumstance that out of seven offenders one only has had his spiritual faculties restored to him, the other six not having obtained a restoration of theirs, it is reasonable to conclude that the one re-instated in his faculties has given such satisfaction as his Ecclesiastical superior deemed sufficient. The Vicar Apostolic, his Ecclesiastical Superior, declares he has done so. The conclusion to the contrary drawn from a schismatical pamphlet would be of no weight even if the citation from that pamphlet were correct: but the pamphlet itself is wrongly quoted, or the passage forged or falsified, to make it admit the conclusion which by the whole context it does not.

12. That the conduct of this superior has been unjustifiably impeached, as from all the statements and documents laid before us and carefully examined, it has been ascertained, according to our

judgment, that his conduct has been throughout the whole business regulated in every instance by a proper zeal, temper and prudence.

13. That the breaking off communion with a vicar apostolic would in the circumstances of this case be an implicit Ecclesiastical censure on a Bishop uncondemned, unheard and unblamed by the Sovereign Pontiff, whose immediate representative he is, and that such a censure would not only be a violation of the Rules laid down by the Council of Trent, which forbids even cognizance to be taken of a Bishop in a criminal cause without a special commission from the Pope to that effect. (Sess. 24, c. 5, De Reformatione) but also an usurpation of the particular right of his Holiness over his own Vicar, and an insult to his dignity by uncanonically degrading his Representative.

A system of interference in our Districts has been set on foot and for some years past has been persevered in by some neighbouring Bishops and their Agent, who is one of our Colleagues, who have over us no kind of jurisdiction or authority. Of this a strong instance has occurred when a Synodical declaration censuring our public conduct was issued by them, not addressed to their own flocks, but expressly issued to be sent to their agent in England and to be here by him circulated among our people.

On another occasion we have been traduced even from the pulpit in the diocese of one of those Prelates as having fallen from our religion: nor could we obtain that the calumniator should be called to account, though we denounced him both to the Prelate in whose Diocese the sermon was preached and to him into whose Diocese he had retired. The first alleged that he had ceased to have jurisdiction over him: and the other has declared that he was obliged to authorise him for fear of the people.

This same system continually increasing, perhaps by non-resistance on our parts, showed itself in the authoritative demand (noticed above in our eleventh Resolution) to account for an act of Jurisdiction done by a Vicar Apostolic in his own District, and this demand accompanied by a threat of breaking communion in case of refusal. Such proceedings have a natural tendency and seem meant to overthrow the existing Catholic authorities in this part of the United Kingdom, and to introduce a new organisation of Church government without consulting us; and which in our opinions would be greatly prejudicial to the peace and welfare of the Flocks committed to our care.

We are credibly informed that certain neighbouring Prelates and their above-mentioned Agent have by frequent applications to the Holy See attempted to effect an interchange of Districts without

the consent and even without the knowledge of one of the parties; and to procure a novel establishment of jurisdiction over us. This vexatious interference and scheme of usurpation is confirmed by the Instructions from one of those Prelates to their Agent in England, and by the known tenour and tendency of a correspondence carried on in Rome for some years past.

Resolved therefore,

14. That it would be a dereliction of our duty not to acquaint our Clergy and Flocks with these meditated innovations in which they are deeply interested: in order that timely measures may be resorted to for preventing the progress of this system, which if followed up, we fear will be incompatible with their peace and happiness.

15. That therefore we, the undersigned Vicars Apostolic of the Northern, London and Western Districts, with the Coadjutors of the London and Northern Districts, do feel it a conscientious obligation to protest, and do hereby protest against these past acts of interference of which we complain, and against any future attempts that may be made by any Prelate or Prelates of any National Church, or by their Agent or Agents, to interfere in the government of any of our Districts, to exercise any control over us, or to subject us to their authority. We protest against any attempt that has been or may be made by the said Prelates or their Agent as such to procure the appointment of Bishops or Vicars Apostolic in England, or to bring about any change between the Bishops or Coadjutors of the Districts, or to model or regulate our Church government in any respect whatsoever.

16. That the above recited encroachments on our rights are derogatory to the rights of the Holy See, and that in the name of His Holiness particularly, as well as in our own names individually, and in the names of our successors in office and of our clergy, we hereby enter our solemn Protest against them.

17. That we have made, and hereby do make, solemn and public Profession of our principles as Bishops of the Holy Catholic Church and Guardians of the Faith.

And therefore we do hereby profess our sincere and firm belief of all and every one of the articles of Faith believed and proposed to be believed by the One, Holy, Catholic and Apostolic Church: that we accept of and submit to all the laws of general discipline of the same Church which have been applied to us, and to those particular constitutions of the Apostolic See which have been prescribed as a rule of government and conduct for us in the English mission: that we acknowledge Pope Pius the seventh as the true and lawful successor of St. Peter and the Vicar of Christ on earth: that we will ever pay him all respect and obedience due to his supreme Dignity and

authority in the Catholic Church, that with the assistance of Divine grace we will labour to support the same to the best of our power; that we will be vigilant in preventing and firm in resisting any innovation or measures prejudicial to the Unity or Authority of the Catholic Church, the sacred rights of the Apostolic See, or the integrity or security of our holy Religion in its faith and morality or discipline.

✠ William Gibson, V. A. Northern District.
✠ William Poynter, Coadj. London District.
✠ Peter Collingridge, V. A. Western District.
✠ Thomas Smith, Coadj. Northern District.

CHRONOLOGICAL TABLE OF EVENTS RECORDED IN VOL. I.

1803.	May 22.	Consecration of Dr. Milner at Winchester.
	May 29.	Consecration of Dr. Poynter at St. Edmund's College.
1804.	May.	Resignation of Addington. Pitt becomes Prime Minister for the second time.
	Dec. 2.	Napoleon crowned in Paris by Pius VII.
1805.	May.	Catholic question moved on behalf of the Irish in the House of Lords by Lord Grenville, and in the House of Commons by Fox. Adverse majorities 129 and 212 respectively.
	Oct. 21.	Battle of Trafalgar.
1806.	Jan. 23.	Death of Pitt. Lord Grenville becomes head of the "Ministry of all the Talents".
	July 4.	Milner's Trial in King's Bench. Case dismissed.
	Sept. 13.	Death of Fox.
1807.	Mar.	Lord Howick's Bill opening the Army and Navy to Catholics vetoed by the King. Resignation of Ministry. The Duke of Portland becomes Prime Minister.
	May.	General Election, with "No-Popery" cry.
	July.	Milner formally appointed agent to the Irish Bishops.
1808.	Feb. 2.	The French troops enter Rome.
	May 17.	The Papal States annexed by the French.
	May.	Formation of the (English) Catholic Board, Edward Jerningham, Secretary.
	May 25.	Veto debate in House of Commons. Catholic question moved on behalf of the Irish by Grattan. Ponsonby declares that he is

authorized by Milner to offer the veto as a "security". Adverse majority 153.

1808. May 27. Veto debate in House of Lords, on motion of Lord Grenville, who also quoted the authority of Milner. Adverse majority 87.

July 6. The Pope removed from Rome by the French, and taken to Savona.

July 19. Opening of St. Cuthbert's College, Ushaw.

Aug. 1. Milner's "Letter to a Parish Priest," defending the Veto.

Aug. Condemnation of Blanchard and Gaschet by Bishop Douglass and Bishop Milner.

Aug. 15. St. Mary's College, Oscott, opened under the direction of Bishop Milner, who undertakes the debts incurred under the Cisalpines.

Milner leaves for Ireland, to press the acceptance of the Veto.

Sept. 15. The Irish bishops declare against the Veto. Popular excitement against Milner in Dublin. He returns to England.

1809. Resignation of the Duke of Portland; he dies a few weeks later.

Perceval forms a "No-Popery" Ministry.

Milner retracts his "Letter to a Parish Priest," and declares against the Veto.

Sir John Coxe Hippisley's scheme including Veto and *Exequatur* circulated.

1810. Feb. 1. Meeting of Catholics at St. Albans Tavern. Fifth Resolution, pledging Catholics, in the event of emancipation, to "concur in conditions not inconsistent with the strictest adherence on their part" to Catholic tenets and discipline, warmly discussed. It is eventually signed by all present except Milner; and subsequently by all the absent Vicars Apostolic of England.

Feb. 10-19. Synod of Vicars Apostolic at Castle Street.

24-26. Meeting of Irish bishops. Fifth Resolution condemned. Vote of thanks passed to Milner.

Mar. 2. Meeting of Irish laymen condemn the Veto. Ferment throughout Ireland.

1810.	Mar. 17.	Father Ryan preaching in Cork Cathedral denounces the English Catholics, including the Vicars Apostolic, with exception of Milner.
	April.	Second meeting in Ireland condemns Veto. Milner's "Elucidation" published against the Veto.
	May 18.	Catholic question raised in House of Commons by Grattan. Ponsonby reiterates that Milner had authorized him to offer the Veto two years before. Majority 104 against the Catholics.
	May 29.	Meeting of English Catholic laymen disavow Milner's political action.
	June 6.	Catholic question raised in House of Lords by Lord Donoughmore. Adverse majority 96.
	June.	Abbé de Trevaux, one of the seven Blanchardist priests, re-instated by Bishop Douglass.
	Aug. 1.	The other Vicars Apostolic write letters of complaint to Dr. Milner and the Irish bishops. Milner answers denouncing them. Correspondence between Dr. Poynter and the Irish bishops (Dr. Douglass being unwell).
1811.		"Illness" of the king. The Prince of Wales becomes Regent.
	May 31.	Grattan's motion in House of Commons on behalf of the Irish Catholics defeated by majority of 63.
	June 18.	Lord Donoughmore's motion in House of Lords defeated by majority of 59.
1811.	June 29.	Milner remonstrates against re-instatement of Abbé de Trevaux, and threatens to "break communion" with the other Vicars Apostolic.
	July 30	Dr. Troy writes a similar threat.
	Aug. 29-31.	First Durham Meeting. All the English Vicars Apostolic present except Milner. They pass resolutions defending themselves against Milner and the Irish bishops.
	Oct. 21.	Meeting of certain Irish bishops renew their protest against re-instatement of Abbé de Trevaux.

1812.	Mar. 25.	Milner circulates his "Explanation with Dr. Poynter".
		The Pope removed from Savona to Fontainebleau.
	April 9.	Address of English Catholics presented to the Prince Regent.
		Catholic question revived on behalf of the Irish in the two Houses of Parliament by Lord Donoughmore and Grattan respectively. Adverse majorities 102 and 75.
	April 30.	The English Catholics entertain the Irish deputies to dinner.
	May 8.	Death of Bishop Douglass.

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